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**THE IOWA JOURNAL OF HISTORY  
AND POLITICS**



THE  
IOWA JOURNAL  
OF  
HISTORY AND POLITICS

EDITOR  
BENJAMIN F. SHAMBAUGH

VOLUME XXI  
1923

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*of*  
History and Politics

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THE IOWA JOURNAL OF HISTORY AND POLITICS  
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VOLUME TWENTY-ONE NUMBER ONE



## HISTORY OF THE OFFICE OF COUNTY SUPERINTENDENT OF SCHOOLS IN IOWA

[The following account of the development and status of the office of county superintendent of schools, by Jay J. Sherman, forms one of a series of monographs on county history and government compiled under the direction of The State Historical Society of Iowa. The sources used in the compilation of this article were the laws of Iowa, journals of the House and Senate, reports of the State Superintendent of Public Instruction, newspapers and periodicals, and works such as Aurner's *History of Education in Iowa*.

Letters of inquiry were sent to every State Superintendent of Public Instruction in the United States — thirty-one of whom replied. Personal visits were made to various Iowa State officers, representatives of book publishers, and teachers. Questionnaires were sent to each county superintendent in Iowa, and by the information secured from the ninety-two replies, the facts drawn from the other sources and the conclusions derived from them have been checked and verified. With a view to making a first hand survey of the work done, Mr. Sherman visited twelve counties in which conditions were believed to be typical. In this way the practical workings of the office were studied. Helpful assistance was also received from the Iowa State Teachers' Association and the Extension Division of the Iowa State Teachers College. — THE EDITOR]

### NEED OF THE OFFICE

Any attempt to maintain a system of public schools without providing means of enforcing the legal provisions and examining those expecting to teach in such schools must be futile. The Territorial and early State legislatures, feeling the need for such oversight, created township and district inspectors. These inspectors, however, failed to produce satisfactory results, and their failures convinced the people of Iowa that some central authority must be created with specific powers and duties. It was not until 1858, however, that a law was secured which established the beginnings of the present system of county supervision.

Originally the powers and duties of the superintendent were nominal — as nominal as was his compensation. But

as common school education became more and more centralized and developed, the scope of his office enlarged. To understand this development it is necessary to study the history of the common schools in Iowa, noting how some powers and duties of the county superintendent became obsolete and others remained as permanent functions of his office.

To-day the county superintendent is the administrative and supervisory head of the common schools outside of the independent districts. Under the direction of the State Superintendent of Public Instruction he is the official medium of communication between the Department of Public Instruction and the local school boards and teachers. In addition to these functions he is charged with the duty of hearing appeals from the decisions of boards of directors and with the direction of county certification and teacher training.

#### LEGISLATIVE PROPOSALS

When the congressional survey of what is now Iowa was undertaken in 1836 approximately ten thousand people had already "squatted" on the public domain. With the same disregard for governmental "red tape", these Iowa pioneers had established such schools as they deemed necessary and felt able to maintain. As early as 1830 a school was started; and by 1838, when the First Legislative Assembly of the newly created Territory of Iowa convened, the records indicate that there were between forty and fifty schools in operation.

These first schools were for the most part private institutions conducted by some person who undertook the instruction of such pupils as were sent to his school, receiving his compensation from the parents and others who believed sufficiently in schools to subscribe to their support.



Although in some cases the buildings had been erected by the community, the schools conducted therein were without supervision. It is true that the statutes of the territories of Michigan and Wisconsin had been made applicable to the Iowa country, but the early settlers had given them scant attention. In fact, the population spread too rapidly for the successful enforcement of laws concerning the length of the school year, the qualifications of teachers, or the studies taught.

With the increase of settlers the need of free public schools became more and more apparent. Such men as Governor Robert Lucas realized that if Iowa was to be attractive to settlers a system of common schools must be created. Accordingly, Governor Lucas in his first message to the Legislative Assembly urged the immediate organization of townships, for he was of the opinion that, while the county was the unit of local government, the township was the logical unit for the organization and administration of the public schools.

Responding to this obvious necessity for action the Legislative Assembly, in an act approved January 1, 1839, provided for the formation of districts upon the petition of a majority of the voters in the area to be included in the proposed school district. The unit being thus organized, the electors therein chose three trustees who were to examine and employ teachers, have charge of the land belonging to the district, and make reports to the county commissioner of the number of children between the ages of four and twenty-one years living within the district and the number actually in school, together with a certificate of the actual time a school was kept in the district and the probable expense.<sup>1</sup> Thus it appears that the First Legis-

<sup>1</sup> Shambaugh's *History of the Constitutions of Iowa*, pp. 15-16; Horack's *The Government of Iowa*, pp. 23, 24; Aurner's *History of Education in Iowa*,

lative Assembly established a system of examining teachers and of reporting to some county authority statistics relative to school costs.

Although there were probably no districts organized under this act, it was the forerunner of repeated attempts to create a satisfactory agency for the supervision and control of common schools. Thus one of the laws passed by the Second Legislative Assembly of the Territory was "An Act to establish a system of common schools".<sup>2</sup> This act created a board of district inspectors consisting of three members to be elected at the regular township election for a term of one year. Among the powers and duties conferred upon the board were the examination of teachers and the inspection of the schools. The inspectors were required to examine annually all candidates for positions as teachers in the primary schools in regard to moral character, learning, and ability to teach; and if satisfied they were to deliver to the person examined a certificate signed by the inspectors in such form as the Superintendent of Public Instruction should prescribe. As far as the early reports indicate, no attempt was made by the Territorial superintendent to prescribe the form of certificates issued. These certificates were in force for one year; but the inspectors might reexamine a teacher at any time if they deemed it advisable and if the teacher was found wanting the inspectors could annul his certificate by giving ten days' written notice of such action to the holder of the certificate and to the township clerk.

The employment of teachers was left in the hands of the Vol. I, pp. 5, 296; *Journal of the Council*, 1838, p. 6; *Laws of the Territory of Iowa*, 1838-1839, pp. 181-183.

Lieutenant Albert M. Lea estimated the population of the Iowa District, in 1835, to be at least sixteen thousand persons, exclusive of Indians. — Lea's *Notes on the Wisconsin Territory*, p. 14.

<sup>2</sup> *Laws of the Territory of Iowa*, 1839, Ch. 73.

district board, the director employing qualified teachers by and with the consent of the moderator and assessor, or either of them. And any district not employing a qualified teacher for at least three months each year was to be denied its share of the income from the school fund.

According to the provisions of the law the inspectors were required "to visit all such schools in their township, at least twice in each year . . . to inquire into the condition, examine the scholars, and give such advice to both teachers and scholars as they should deem proper".

For their services the inspectors were paid one dollar a day — this being the first paid school supervision in Iowa. An interesting clause of the act provided that if any person who had been appointed or elected school inspector refused to serve without sufficient cause, he forfeited twenty-five dollars to the school fund. There is, however, no record of any refusals to serve. The inspectors had some real authority and in most cases served faithfully, doing much to build up the school system.

The scattered population in the unorganized counties and the incompleteness of the laws made it difficult to organize school districts and choose the inspectors, and the statutes afforded no guidance as to their duties. As a result, each one did what he had seen done in his native State, or what his own district desired him to do. The people who believed that each community should establish the kind of school it wished objected to "outside interference" and disliked the existing law. Moreover, in addition to these objections the lack of satisfactory financial provisions became more and more apparent.<sup>3</sup>

Although the act of 1840 had included a "superintendent

<sup>3</sup> *Laws of the Territory of Iowa*, 1839, Ch. 63; Aurner's *History of Education in Iowa*, Vol. I, pp. 13-15; *Biennial Report of the Superintendent of Public Instruction*, 1873-1875, p. 16.

of public instruction", it made no provision for his selection; and not until after 1841 was the office filled through appointment by the Governor and approval by the Council. His duties were merely clerical. There were those who thought that the law of 1839 was better fitted to Iowa conditions than was the act of 1840; and so by the legislation of 1842 the office of State Superintendent was abolished. The Council killed in committee a bill to amend the law of 1840, the committee declaring that it was inexpedient to change the school law until Iowa became a State. In 1846 an act providing for a county school tax was approved by the Governor. Under these laws about four hundred districts were organized, making definite central control more necessary than ever.

The First General Assembly in 1847 attempted to clarify the school laws by passing an act supplementary to the act of January 16, 1840. This statute abolished the board of three inspectors, substituting therefor one inspector elected for a term of one year. His powers of certification were the same as those of the old board of inspectors under the act of 1840, as were also his duties in regard to dividing the township into districts.<sup>4</sup> By the new legislation he was required to visit the schools but once a year, and his compensation was to be such pay as the township trustees thought advisable.<sup>5</sup>

By the act of 1847 the office of school fund commissioner was created, and the inspector was required to make his reports to that office.<sup>6</sup> These reports contained much the same information as do the present day reports to the county superintendents. The uncertainty of the compensation under the amended act made the position of inspector

<sup>4</sup> *Laws of Iowa, 1846-1847, Ch. 99.*

<sup>5</sup> *Laws of Iowa, 1846-1847, Ch. 99.*

<sup>6</sup> *Laws of Iowa, 1846-1847, Ch. 99.*

even less desirable than it had been and the provisions of the new statute confused the duties of the various school officials in a manner not at all conducive to the rapid development of a working school system.

The inspector was financial agent, organizer, examiner, and supervisor for the schools within his district; and these manifold duties were to be performed without any guiding legislation. Each inspector was a law unto himself. In some counties this situation led to as many variations of procedure as there were inspectors. Inspectors did not know whether to use present or future needs of the community as a basis of organization. In certification they knew not what subjects to use for examination, for no course was prescribed for the primary schools. Nor was there any satisfactory method of judging the ability to teach—a condition not greatly remedied to this day. In many districts there were complaints that certificates were issued to persons, especially girls, who were too young to undertake the responsibilities of a teacher. These conditions, together with the lack of taxing power, prevented some districts from securing teachers at all.

No one recognized this confusion and lack of efficiency more than did State Superintendent Thomas H. Benton, Jr. In his biennial report to the General Assembly in 1848, Mr. Benton recommended immediate legislation relative to the formation of districts and the authority of directors to employ teachers upon the liability of the district. He recommended that the subjects for examinations and the standards for teachers be stipulated, declaring at the same time “that the duty of examining teachers should be assigned to a county instead of a township officer”,<sup>7</sup> thus removing this important function from neighborhood jealous-

<sup>7</sup> *Report of the Superintendent of Public Instruction in the Journal of the House of Representatives*, 1848, pp. 142-144.

ies and favoritism. But Mr. Benton was not ready at this time to recommend complete county control.

The Second General Assembly did not accept Mr. Benton's recommendations as to certification; but in the new school law the office of township inspector was abolished and many of his clerical duties transferred to the county school fund commissioner.<sup>8</sup> Under its provisions each school district was now to elect a board of directors; and this board, before contracting with a teacher, was required to examine the candidate in "the following branches of an English education: To-wit; spelling, reading, writing, arithmetic, geography, history of the United States and English grammar", and to appoint a committee from their own number to visit the schools.<sup>9</sup>

This legislation remedied one defect pointed out by Mr. Benton, in that both the district board and the applicant were now to be advised as to what subjects were required for examination. At the same time no standards or "passing" grades had been established for certification. There still remained, also, the old difficulty of electing a board of directors capable of really examining applicants for the school, interested enough in the welfare of the pupils to lay aside personal prejudices, or far-seeing enough to grant certificates to and employ the best applicant rather than the cheapest or, perhaps, the immature daughter of some influential neighbor.

A clause making the visiting of schools mandatory upon a committee of board members destroyed almost completely the value of such procedure. The members of the committee were compelled to visit the schools without pecuniary compensation—a duty for which the former in-

<sup>8</sup> *Laws of Iowa, 1848-1849, Ch. 80.*

<sup>9</sup> *Laws of Iowa, 1848-1849, Ch. 80.*

spectors were paid. Under the committee plan the visiting or inspection of schools usually became a mere form — if, indeed, the directors even attempted to obey this provision of the law. Occasionally, it appears, such visits became a sort of inquisition for an unfortunate young man or immature girl who had in some way incurred the displeasure of an “influential” director or some “important” patron. It is doubtless true also that some school committees, proud of their power and authority, may have used the “visits” to display their own knowledge and superiority.

Thus up to 1850 each succeeding legislature seems to have made it more and more difficult to secure adequate certification of teachers or inspection of schools. Even when the officers to whom these powers were delegated were capable men — men who understood the theory of education and the needs of Iowa schools — the lack of suitable compensation made it impossible for them to give sufficient time to inspection for the work to be at all efficient.

It is apparent that the certification of teachers had made more progress than inspection — possibly because the people realized more fully the necessity of some standard for the knowledge of teachers. Of course the examinations may have been given by men of meager learning who, at first, had no guides as to what should be asked of a teacher. Many of them may have made the examination a mere form, asking a few simple and often irrelevant questions. There may have been those who knowingly admitted to the rank of teacher persons who were under age and illy prepared simply because they were influential, had influential relatives, or would teach at the lowest wage. At the same time it is significant that all teachers submitted to some type of examination and received some form of certificate.

The stipulation of subjects was a step forward, but there remained much to be done. Examinations were not uniform; grades were not standardized; and petty jealousies still affected results. Many persons, including some legislators, must have felt that in the eyes of the pioneer taxpayers the saving in expense counteracted all sins of omission or commission in the supervision of instruction.

#### EXECUTIVE RECOMMENDATIONS

From 1850 to 1856 the General Assembly remained comparatively silent upon the subject of school administration. The management—or rather mismanagement—of the school lands and school funds was the main topic of discussion. Many of those in charge of the lands and funds were criminally careless if not corrupt. During this period the General Assembly made several attempts to remedy the condition, although there is some evidence to show that some of the legislators were themselves anxious to get a chance at the fertile lands so nearly given away. Various repeals, substitutions, and amendments were enacted, but such legislation had little effect upon matters purely administrative and supervisory. Perhaps it was felt that little could be done until the financial affairs were more definitely settled. The more conservative element seemed to entertain the theory that “what is, is right”; or they honestly doubted if under the general conditions of the State anything could be accomplished by legislation.

On the other hand, educators and school patrons were not so indifferent to the situation. Directors continued to hire teachers who were not qualified—some of them girls far too young and men fully as incapable. The lack of standards for certification was held to be one of the chief drawbacks. Those interested felt that it did little good to examine a person unless the examiner knew what was the



lowest grade on which he could grant a certificate. Students of the problem believed that salaries should be graded according to the certificate held by the teacher. They believed that it was unfair to all concerned—patrons, pupils, and teachers—to pay the same remuneration to a teacher who received his certificate almost by the “grace of the examiner”, as was paid to a teacher who passed with excellent grades.

Many boards of directors had shown themselves incapable of managing schools: the members had little if any schooling and knew practically nothing of school problems and educational procedure. They wanted enough school to afford the younger pupils the rudiments of learning, to give the older boys a chance to go to school during the winter months, and to draw the district’s portion of the income from the school fund. They did not want an expensive school, nor one in which the teacher insisted that attendance be regular. The reports to the State Department were incomplete and inaccurate, as can be seen from the reports of the State Superintendent of Public Instruction. And, while no definite remedy is proposed in the early reports, the dissatisfaction of the State superintendents is evident. In his biennial report for 1854 Superintendent Eads says: “The returns made to this department up to the first of November of the present year are incomplete, several counties having failed to make any returns in accordance with the requirements of the law.”<sup>10</sup>

In his inaugural address on December 9, 1854, Governor James W. Grimes urged that the “common school Fund of the State should be scrupulously preserved, and a more efficient system of common schools than we now have should be adopted. The State should see to it that the

<sup>10</sup> *Report of the Superintendent of Public Instruction, 1854, p. 23.*

elements of education, like the elements of universal nature, are above, around, and beneath all."<sup>11</sup>

In his message addressed to the extra session of the Fifth General Assembly on July 3, 1856, Governor Grimes further observed that it "is to be regretted that the joint resolutions, passed by the House of Representatives, at each of its two last sessions . . . failed to receive the approval of the Senate. No one, who gives the subject a moment's consideration, can doubt the necessity for a thorough revision of the whole subject. With a large and constantly increasing school fund, our school system is without unity and efficiency, and is, in my conviction, discreditable to the State. It reaches so many interests, it runs into so many details, and it is so important in its influences, that it seems to me impossible for the General Assembly to perfect the necessary amendments and reduce them to a harmonious system, in the limited period of fifty days — and I, therefore, recommend three competent persons be selected to revise all the laws on the subject, and submit their revision to the next General Assembly."<sup>12</sup>

The recommendations of Governor Grimes were not overlooked by the legislature: an act, passed on July 14, 1856, directed the Governor to appoint within thirty days a committee to revise the school laws. It was in accordance with this act that Horace Mann, of Ohio; Amos Dean, President of the State University of Iowa; and F. E. Bissell, of Dubuque, were appointed to serve on such a committee.<sup>13</sup>

The report of the commission was not ready when the

<sup>11</sup> Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 7.

<sup>12</sup> *Journal of the Senate*, 1856 (Special Session), p. 11.

<sup>13</sup> *Laws of Iowa*, 1856 (Extra Session), Ch. 31. Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 36.

General Assembly convened, and the first recommendation using the present title, "County Superintendent", occurs in the biennial report of James D. Eads, Superintendent of Public Instruction, which bears the date of December 1, 1856. If Mr. Eads had seen the forthcoming report of the Mann Commission, he makes no mention of the fact. At the same time he suggests a title for the county officer recommended by the commission. His words are well worth quoting for in many ways they are as pertinent to-day as they were seventy years ago:

I would propose to you that the County Superintendent . . . be required, in addition to the present duties of School Fund Commissioners, to visit and examine each School in his county at least once every six months. He should have general supervision in his county over all matters relating to the government, course of instruction, and the general condition of the Schools and School houses in his county. By investing the County Superintendent with these and other proper functions and powers, (subject, of course, to the general control of the State Superintendent) you elevate the office by conferring on its incumbent the interest attaching to one having in keeping to a certain extent, the educational progress and mental culture of all the children within its jurisdiction. Objection may be made that we have not the proper material in the different counties capable of so great a trust and such peculiar duties. But I am satisfied that, no matter how high you elevate the standard of requirements for such a station, the proper person will always be found by the people, capable and willing to discharge its duties . . .

I do not hesitate to express and put on record the opinion that every organized county in the State possesses one or more citizens capable of creditably discharging the duties I propose attaching to the office of County Superintendent, and that in most cases, if not all, such would be chosen by the people.

I would quote from a report of a committee of the New York Legislature, (1843) on this subject:

"It can produce a complete and efficient supervision of all the schools of the State . . . .

"It can do much towards dissipating the stolid indifference which paralyses many portions of the community . . . . by systematic and periodical appeals to the inhabitants of each school district . . . .

"It can be made to dismiss from our schools all immoral and incompetent teachers, and to secure the services of such only as are qualified and efficient, thereby elevating the grade of the school master, and infusing new vitality into the school!"

And in closing Mr. Eads says: "I would renew my former recommendation that this office be placed on the same basis with other county offices, and that the incumbent be paid for his services from the county treasury."<sup>14</sup>

#### THE HORACE MANN COMMISSION

After the commission to revise the school laws had been appointed, F. E. Bissell found it impossible to serve; so the report was prepared by Horace Mann and Amos Dean. Mr. Mann's varied experience as secretary of the board of education which revised the school laws and reorganized the common school system of Massachusetts—1837-1848, as a member of the Massachusetts legislature, and in Congress, as well as his studies of public education throughout the world, made him particularly desirable as chairman of the Iowa commission and give his name to the report. Mr. Dean also had had considerable experience and was recognized as an authority on education. Both of these men were therefore seriously interested in designing a satisfactory school system for Iowa.

*The Report of the Commission.*—Although the commissioners at once entered upon their duties, they were unable to complete the task before the next session of the legis-

<sup>14</sup> *Biennial Report of the Superintendent of Public Instruction*, 1856, pp. 11, 12, 13.

lature. Their report—which did not reach the General Assembly until December 12, 1856, about ten days after the report of the State Superintendent of Public Instruction—stated, among other things, that the two commissioners “found the previous legislation of this State upon this great subject, in the main, judicious in its provisions, but fragmentary in its character, lacking in general aims, and entirely wanting in unity or completeness.”

Some sections of the report submitted by the Mann Commission may be given in part:

In consulting the experience of other States upon this subject, they found a multitude of provisions; many of them analogous in character; some of them peculiar . . . and all of them the gradual growths of time and necessity. . . .

Here, for the first time, a great State . . . demands a system of public instruction adequate to the full development of its great physical resources, and of the intellect and moral power of its people. . . .

To complete a perfect system of education, three elements are necessary. These are the organizing, the financial, and the educational. The first two are only important as they effect the last, and the first is wholly expended in the advancement of the other two. . . .

The commissioners have been desirous of making a liberal provision for adequate common school instruction. . . .

They have organized the district, the county, the State, and the special organizations. . . .

In regard to county organizations, your commissioners have centered in one individual, the county superintendent of public instruction, all the actual power exercised for school purposes, over the whole county. He unites the financial and visitorial power, and stands intermediate between the State and district organizations.<sup>15</sup>

<sup>15</sup> *Report of the Commissioners of Revision of the School Laws in Iowa Legislative Documents*, 1856, Appendix, pp. 191-196.

*The Recommendations Ignored.*—In spite of this recommendation of the State Superintendent of Public Instruction and the report of the Mann Commission no action was taken by the legislature except the passage of one act making reorganization optional in certain populous districts. Should a district reorganize under the provisions of this act, the board of education was, within twenty days of its election, to appoint “three competent persons, citizens of said district, to serve as school examiners”. These examiners, or any two of them, were to examine all applicants to teach in the schools of the district. If the inspectors, in their opinion, found the applicant qualified to teach and govern a school, and to be of good moral character, they were to issue a certificate stating just what subjects the holder was qualified to teach.

The examiners, or any two of them, had power to annul the certificate of a teacher. Such action, of course, prevented the former holder from teaching in the district. The act stated that “said examiners shall also separately or otherwise, together with said board of education, or any of them, or such person as they may appoint, or invite, visit said schools as often as once in each school month, and observe the description [deportment?], mode of teaching, progress of the pupils, and such other matters as they deem of interest, and make suggestions, and reports thereupon to said board as they may think proper, which report may be published at the discretion of said board.”<sup>16</sup>

#### CREATION OF THE OFFICE OF COUNTY SUPERINTENDENT

In the next biennial report of the State Superintendent of Public Instruction, Maturin L. Fisher again urged the revision of the school laws and the creation of a county

<sup>16</sup> *Laws of Iowa*, 1856-57, Ch. 158.

superintendent of schools to "establish school districts and determine their boundaries; to examine teachers and grant certificates of qualification; to visit every school in the county at least twice during the year; to prepare the statistical statements, with regard to schools, and return them to the Superintendent of Public Instruction; to make annually, a general and detailed report of the condition of the schools of his county." Mr. Fisher was moved to urge the adoption of the plan proposed by the commissioners because of the conditions which he shows in his report. In 1856 there were 2850 organized school districts in the State, of which 142 maintained no school during the year. In 1857 of the 3265 organized districts only 2708 maintained schools. All these districts received their apportionment of the school money despite the constitutional requirement that a district must hold school at least three months each year to share in the apportionment.

He closes his report on schools by saying: "in general, my inquiries lead me to believe that our common schools are in a very unsatisfactory state. There is usually no examination of teachers, and frequently most unsuitable persons are employed as instructors, and there is seldom any visitation of schools, to insure fidelity on the part of teachers, and to inspire emulation on the part of pupils."<sup>17</sup>

#### DISPUTE OVER JURISDICTION

The demand for school legislation became so urgent and so general that the Seventh General Assembly in 1858 made a start soon after the opening of the session. A bill for the establishment of a common school system was introduced into the Senate and referred to the Committee on Education. This was the same committee which had drafted the bill. The chairman of the committee, J. B. Grinnell, in a

<sup>17</sup> *Report of the Superintendent of Public Instruction, 1857*, pp. 13, 16.



letter appearing in the *Montezuma Republican* and summarized in *The Iowa Citizen* writes that at the time the bill was drawn there was doubt as to the authority of the General Assembly to legislate concerning the schools. However, since the State Superintendent had received 1400 letters in a single year in reference to provisions of a former law, action at this time was deemed imperative.<sup>18</sup>

The long-drawn-out debates and the numerous proposed amendments made it impossible to pass the act until well toward the close of the session. Its enemies were numerous. Some held that under the Constitution all power to legislate for the schools was vested in the Board of Education which had been created by the Constitution of 1857. Others felt that there was danger in making the township a school district. And still others insisted that any form of county control would become obnoxious.

#### THE ACT OF MARCH 12, 1858

Uncertainty concerning authority and the best system threatened to defeat all proposed legislation. Finally, however, on the twelfth day of March, 1858, the Governor approved "An Act for the Public Instruction of the State of Iowa". The provisions of this measure indicate that it was substantially the bill submitted to the General Assembly by the Mann Commission. According to its terms the civil township was to be the school district, but towns of one thousand or more inhabitants were privileged to organize independent districts. A county school tax of "not less than one mill and not more than two and a half mills"

<sup>18</sup> *The Iowa Citizen* (Des Moines), December 22, 1858.

A contributor signing himself "Vox Populi" writes: "For the last three years there has been a general clamor in our state for a radical change in our school laws . . . It is reasonable to suppose that the school bill now in the hands of the committees of the General Assembly is such a one as the people want." - *The Iowa Citizen*, Vol. III, No. 1, February 17, 1858.

was to be levied; and the office of county superintendent was created — the most important provision of the entire act, for it placed the county legally in control of the common school system.

Sixty-four years have elapsed since the creation of the office of county superintendent, and during this time many changes have come about. The time and manner of election are entirely different; the term of office has been lengthened; the compensation has become more adequate; and the powers and duties, as well as the responsibility, have been increased many fold. Yet, the office of to-day is the office created by the act of March 12, 1858, with the same aims, hopes, and possibilities, with the same objections and strong points; and with about the same proportion of enemies and friends who claim and predict the same results as in 1858.

*The First Elections.* — In accordance with the prevailing notion of the time, the office was made elective. No doubt the members of the legislature would have viewed with concern a plan of selection similar to the one now in force. That the office might be as far removed as possible from all political influences, the incumbent was to be chosen for his fitness, and the time of election was to be the first Monday in April in 1858 and thereafter biennially on the second Monday in March, almost seven months prior to the general election. While this method of securing a non-partisan election has been advocated many times, it was in effect only from March, 1858, to December of the same year. In 1913, when the present system of selection became a law, a similar provision relative to the time of election was included.

For some reason publication of the law was not completed until Saturday, March 20, 1858, so there remained

but sixteen days including Sundays before the election, which occurred on April 5th. The legislature, foreseeing that several counties might fail to receive the notice in time to hold an election, hastily passed a supplemental act approved on March 19th allowing any counties failing to elect a county superintendent on the specified day to hold their elections on the first Monday in May. Thus all counties were enabled to select county superintendents; and as soon as the successful candidates had qualified the work of the office began.<sup>19</sup>

*Activities of County Superintendents.* — The eighty-four men who were chosen county superintendents at this time seem to have taken up their duties with a determination to make the office a real power for good in education. The superintendent of Johnson County published a summary of the law in the local papers and with it a set of instructions for the guidance of the various district officers in the county. In May, 1858, the county superintendent of Dubuque County issued a circular containing the school law and the proceedings of the county board of education during its first session. At this meeting committees were appointed on the county high school, qualifications of teachers, on "branches of learning", and on several other subjects including settlement of property between districts under the old organization and the new, a problem which proved to be difficult to adjust in some cases.

At a meeting of the Iowa City Township board on May 15th a special committee was appointed to ascertain the rate of taxation necessary to maintain a school in each sub-district for a period of eight months each year. There is evidence that many counties took similar steps to carry out

<sup>19</sup> *Journal of the Senate*, 1858, pp. 98, 246, 255, 462; *Laws of Iowa*, 1858, Chs. 52, 81.

the provisions of the act in regard to the organization, taxation, and establishment of schools.<sup>20</sup>

*The First State Convention of Superintendents.*—The county superintendents held their first State convention at Iowa City in September, 1858. A committee from this body submitted a report on the branches taught in the common schools and also for the county high schools which it was hoped would be established. Since the chief concern of this convention, which had been called by State Superintendent M. L. Fisher, was the interpretation of the new school laws, it was unlike any previous assembly in the State. A committee arranged all the questions concerning the new law into some sixty-four queries. These were evidently answered, since the convention declared that the new law “fully meets our approbation”. Superintendent Fisher expressed the opinion that this was truly an educational council.

#### CONSTITUTIONALITY OF THE LAW

But just as the county superintendents were getting the machinery of their offices established as provided for by the legislature, two lawsuits were begun. One of these was commenced at Dubuque with a view to preventing the money then in the hands of the old district from being transferred to the treasurer of the new district as organized or reorganized under the law of 1858. The case was appealed to the Supreme Court; but before the case had been decided the Board of Education of the State of Iowa assembled in Des Moines on Monday, December 5, 1858, for its first session.

After the Board had effected its organization and en-

<sup>20</sup> *Iowa City Republican*, April 21, 1858; *Records of the Board of Education, Iowa City Township, 1858-1871*, summarized in Aurner's *History of Education in Iowa*, Vol. I, pp. 57, 58.

tered upon its labors, T. B. Perry offered a resolution on Wednesday morning stating that it was the opinion of the Board that all the educational interests of the State, including the common schools, were under its management, and that the Board possessed exclusive original jurisdiction to legislate upon the subject of common schools. Judge John F. Dillon, of the seventh judicial district, was of the same opinion, and early in the session urged the Board to pass a curative act legalizing the proceedings of school officials under the law of March 12, 1858.<sup>21</sup>

#### THE SUPREME COURT DECISION

Whether or not the Supreme Court was influenced by the resolution of the Board of Education is perhaps of no great importance; but its decision, handed down on December 9th, upheld the claim of the Board. The Supreme Court declared the law "void in its essential features", holding that under the Constitution the State Board of Education alone possessed the primary power to provide for the public instruction of the State; while the legislature had power only to amend, revise, and repeal acts of the Board of Education and to pass legislation necessary to put into force the Board's acts. The Court did not attempt to point out the particular parts which were valid or invalid; but said that the Board, being in session at the time, could apply an immediate remedy, and obviate, to a great extent, any confusion or injury resulting from the decision.<sup>22</sup>

#### THE OPINION OF THE ATTORNEY GENERAL

Immediately following the decision of the Supreme Court, A. B. F. Hildreth, member of the Board of Educa-

<sup>21</sup> *The Voice of Iowa*, Vol. III, pp. 48-59, 71-78; *Journal of the State Board of Education*, 1858, pp. 10, 14.

<sup>22</sup> *The District Township of the City of Dubuque v. The City of Dubuque*, 7 Iowa 262.

tion from the tenth judicial district, offered a resolution asking that the Attorney General be requested to furnish an opinion upon the following questions concerning the validity of the new school law:

1st—Is the act entitled “An act for the public Instruction of the State of Iowa”, approved March 12th, 1858, null and invalid, in whole or in part? If partly, what part? If wholly, then are the acts of former dates pertaining to schools, of any validity or binding force? 2d—Is it competent for this Board to enact a law that shall legalize or render valid the transactions which have taken place under, and were authorized by, the School Law of 1858?<sup>23</sup>

On December 13, 1858, Samuel A. Rice, the Attorney General, rendered his opinion upon these questions as follows:

It is the duty of the Board to enact all laws and make all rules and regulations that may be necessary to put into operation a thorough system of common schools . . . and, with the exception of the financial part, to regulate the entire machinery by which the system shall be carried into effect. . . .

The General Assembly has power to amend, revise, or appeal any law passed by the Board. . . . They are to pass all laws which provide for the raising of means in order to carry the system into operation. . . .

It is held by the Supreme Court . . . that so much of the aforesaid act . . . as . . . goes beyond the financial department of the system . . . is unconstitutional and void. . . .

I am of the opinion . . . that with the exception of such parts of the late act as I have stated are in force we have been destitute of any legal school system. . . .

Considering the magnitude of the interests involved, the unfortunate condition of our school system, and the almost irreparable injury that will result . . . unless the late laws are in some

<sup>23</sup> *Journal of the State Board of Education*, 1858, p. 14.

measure legalized . . . . I would recommend the passage of a curative act.<sup>24</sup>

Not only did the Board of Education seek an opinion from the Attorney General; it addressed a resolution to the Supreme Court asking for an opinion as to the subjects upon which the Board could enact legislation. This opinion the Supreme Court refused to give, stating that such a course "would be as unusual, as it would be without authority or precedent".

#### THE CURATIVE ACT

Meanwhile, T. B. Perry had, in accordance with the suggestion of the decision, introduced a bill for a curative act which sought to legalize elections, acts, and contracts under the legislative act of March 12th. The Board of Education passed this act on December 15, 1858, to go into effect from and after publication in *The Iowa Weekly Citizen*, the *State Journal*, and the *Iowa Statesman*.

Although the Supreme Court had upheld the contention that the General Assembly had no power to enact school legislation, the law that had been passed by the legislature was the basis for the action by the Board of Education and had provided funds to carry out such legislation.

Two courses were open: the Board could reenact the provisions of the legislative act, or it could enact new legislation. Before the decision no one had known what to do. A petition from Washington and Cedar counties asking that the law be retained in its essential features had been presented to the Board. On December 7th, F. M. Connelly of the Board of Education moved that the school law be committed to the Committee on Revision, which motion was agreed to. On the same day that Mr. Perry

<sup>24</sup> *Journal of the State Board of Education*, 1858, pp. 22, 23, 24.

had introduced the bill for the curative act, the Committee on School District Organization and Elections, consisting of S. F. Cooper, O. H. P. Roszell, and G. P. Kimball, reported a bill for an "Act for the Public Instruction of the State of Iowa, by a System of Common Schools". Three days later the Committee on Revision reported a bill embodying many of the provisions of the act of March 12th, entitled "A Bill for an Act to provide a System of Common Schools". The Board considered these bills, usually in committee of the whole, and finally the first bill became merged in the bill for "an Act to provide a System of Common Schools" adopted on December 24, 1858.<sup>25</sup>

During the consideration of these bills the office of county superintendent of schools received little attention. Charles Mason introduced an amendment establishing the compensation of the office, which was incorporated as section forty-four of the bill. The county certification of teachers received brief notice. Otherwise there appears to be little evidence of discussion within the Board on the office of county superintendent. Yet there must have been considerable agitation outside the Board, for a Des Moines editor wrote that it "is strongly urged in some quarters of the State that the office of County Superintendent ought to be abolished, as entailing a useless tax upon the School Fund".<sup>26</sup>

*Comparison of the Acts.*—As reënacted the law provided that the county superintendent of schools should be elected on the second Tuesday of October, 1859, and at the general election thereafter. The incumbents elected under

<sup>25</sup> *Journal of the State Board of Education*, 1858, pp. 8, 9, 18, 19, 26, 33, 51, 54, 69; *Acts, Resolutions and Forms adopted by the State Board of Education* (First Session), 1858, Act No. 2.

<sup>26</sup> *Journal of the State Board of Education*, 1858, pp. 52, 62; *The Iowa Weekly Citizen* (Des Moines), December 8, 1858.



the old law were to serve until their successors were elected and qualified, but their rate of compensation was to be that provided for in the new law. Thus the first steps were taken in reducing the efficiency of the office. The candidates would henceforth claim the votes of members of their respective political parties, and the office would become a sop for disgruntled politicians.

By the legislative act the county superintendent was to receive quarterly a sum equal to one-half the amount paid the clerk of the district court, and such further sum annually as might be allowed by the presidents of the township boards; but in no case was his annual salary to be more than one-eighth greater than the clerk's salary, nor less than fifty dollars. The act of the Board of Education determined his salary in the same way, but the limits were changed. There was no fixed minimum and the maximum was an amount equal to the clerk's salary. The new law did specify a fee of one dollar from each applicant for a teacher's certificate when the examination was taken on other than the regular day. It is probable — although there are no authentic records of collections — that the county superintendent's salary was increased but little by these examination fees.

It was the duty of the county superintendent, with two assistants whom he selected, to examine all candidates presenting themselves, as to their ability to teach orthography, writing, arithmetic, geography, and English grammar, and such other branches as might in special cases be necessary. If the examinations were satisfactory and the applicant was of good moral character, the county superintendent issued a certificate in duplicate stating that the bearer was qualified to teach the statutory subjects and such others as the case might be. A register of the certificates issued and

the date thereof was to be kept by the county superintendent. The duplicates were filed with the secretaries of the districts in which the holders taught. The superintendent was required to give public notice of the time and place for holding examinations.

One very interesting feature of the law of March 12th in regard to certificates was the provision that "a certificate from the Professor of the Normal Department of the State University shall give to its possessor all the legal rights, powers, and privileges of a certificate from any school officer providing the person receiving such certificate has completed a course in the State University, satisfactory to the Professor of the Normal Department of the State University".

The act of December 24, 1858, stipulated the same subjects as those prescribed in the former law, but set as the day of examination the last Saturday of every month. The appointment of assistants was made optional. Examinations were to be held at the seat of justice or at such other place as occasion might require, the county judge being notified of the place of meeting. This act said nothing about the certification of persons completing the course of the Normal Department of the State University. The Board of Education must have felt that examination was the only satisfactory method of determining fitness for certificates; and although it was often urged that certificates be granted upon graduation from certain schools no real provisions were made until the present laws were enacted. The legislative act had allowed the county superintendent to annul a teacher's certificate for immorality or incompetency, and the new act contained the same power stated a little differently. Moreover, under the new law the board of directors had power to discharge a teacher for

cause, whereas revocation of certificates had been the only method of deposing a teacher under the original act.

The act of March 12th provided for a meeting of the presidents of the district boards to be held on the second Monday in April at such place as the county superintendent might designate, or at such other time as the Superintendent of Public Instruction might designate. The board thus constituted appears to have been vested with some authority in regard to the qualifications of teachers, branches to be taught in the schools of the county, the selection of equipment, and textbooks.

From the point of view of a county superintendent, one of the most important powers of this board must have been that of allowing him such sum in addition to the statutory salary as the members thought best. Like provisions were retained in the law as reënacted by the Board of Education. In this connection it is interesting to note that to-day the county superintendent is elected by a convention similarly constituted, and that originally the convention had the power of supplementing the salary of its appointee.

Both acts made the visiting of schools one of the duties of the office. The county superintendent was to visit each school personally at least twice a year. These visits were to be in the nature of inspections, and by the legislative act the county superintendent had power to appoint a committee to make special inspections in his stead. In both acts, also, he had the duty of approving plans for new school buildings, but neither act made his disapproval a bar to the erection of the building.

The legislative act provided that the county superintendent should hear and decide appeals from decisions of the district boards, except cases involving money considerations. This limitation the Board of Education act omitted

— indicating that the county superintendent had jurisdiction in cases involving financial transactions.

Both acts stipulated that reports should be made to the Superintendent of Public Instruction. These reports, according to the legislative act, were to consist of a digest of the reports from the district boards, suggestions for the improvement of the schools, and such other matter as the county superintendent might think pertinent and material. To these items the act of the Board of Education added an abstract of the number of youths between the ages of five and twenty-one years residing within the various districts of the county. The reports for the county high school were, of course, no longer necessary for the Board omitted any provision for such schools.

*County High Schools.* — According to the legislative act of March 12th, county high schools were to be established. The county superintendent was to be a member of the board of trustees of such schools wherever established, the nine other members of the board being elected at the meeting of the presidents of the district boards, for a term of three years, one third retiring each year. This board of presidents had the power to determine whether such a county high school should be established.

When established the county high school was to be visited by the county superintendent and the State Superintendent of Public Instruction; and the secretary of the board of trustees made his annual reports to the county superintendent. These institutions — first recommended by Thomas H. Benton, Jr., in his report as Superintendent of Public Instruction and by the Horace Mann Commission as an integral part of the free school system — were never opened, the Board of Education omitting any reference to them in the act of December 24, 1859.

Several counties, however, had made preparations early in 1858 to comply with the provisions and establish county high schools. The records of Dubuque County show the proceedings in detail; and the leader and counsellor in the movement was William Y. Lovell, the county superintendent of schools. He had called the meeting of the presidents, and seventeen townships were represented. Seven special committees were appointed to consider various phases of the project. Mr. Lovell seems to have doubted the wisdom of beginning school in 1858 under an offer from the Dubuque public schools, and before all the preliminaries were settled the act of the Board of Education put an end to the county high school project.

The county superintendents appear to have taken great interest in these anticipated county high schools, for in their first State convention held at Iowa City in September, 1858, they recommended a course of study for county high schools. This course was to be preparatory to the State University.<sup>27</sup>

By the legislative act each district board was to select the male student ranking highest in ability, attainments, and capacity for teaching for the scholarship in that district. This scholarship gave the pupil seventy-five dollars a year for three years while in the county high school. Upon completion of his course he was assigned as a teacher to a common school by the county superintendent, who was authorized to sanction the use of the scholarship in schools other than the county high school.

*Teachers' Institutes.*—Section 56 of the legislative act made Iowa's first provision for teachers' institutes. The sum of one thousand dollars was appropriated to be expended as follows: one hundred dollars was to be drawn

<sup>27</sup> *The Voice of Iowa*, Vol. III, pp. 50, 51.

by the Superintendent of Public Instruction for aiding each teachers' institute where reasonable assurance was given by the county superintendent that thirty or more teachers would be in attendance for at least six working days. The revision by the Board left all the provisions the same except that the money was forwarded directly to the county superintendent whose institute had been approved, instead of being drawn by the Superintendent of Public Instruction. The Board of Education, of course, had no power to appropriate one cent of money so that part of the act remained the same.

Had the legislature's proposal of one hundred dollars for each approved institute been carried out, only ten county superintendents could have received State aid, or the amount would have had to be prorated among them. Secretary Benton evidently decided on the latter course, since his report for 1859 shows that he had appropriated fifty dollars for one institute held in 1858, and fifty dollars each for fourteen institutes held or to be held in 1859; and he states that he had satisfactory applications on hand for the remaining money.<sup>28</sup>

The minimum of six working days for the county institute was destined to be one of the most permanent features of our school law, remaining the same until 1913. The State aid was reduced by the next legislature to fifty dollars which sum is still appropriated each year.

#### OPPOSITION TO THE OFFICE

The passage and publication of the curative act appears to have allayed some of the suspicion which had been

<sup>28</sup> *Acts, Resolutions and Forms adopted by the State Board of Education* (First Session), 1858, Act No. 8, in the *Journal of the State Board of Education*, 1858-1862; *Laws of Iowa*, 1858, Ch. 52; *Report of the Secretary of the State Board of Education*, 1859, pp. 18, 19.

aroused against the Board of Education. The *Dubuque Weekly Times*, on December 30, 1858, praised the Board of Education for its quick action. It is doubtful, however, whether sentiment toward the county superintendent became much more friendly, many people still firmly believing that the office should be abolished.

One county superintendent wrote: "Repeal the whole system and give us one more easily understood, and abolish the office of County Superintendent." Another wrote that his idea relative to the school legislation was "that it would hardly be possible to enact a law that would be less adapted to the wants of the people, or that would be more unpopular". A third county superintendent appears to have sensed the fundamental objection, as he reports that "under the present law the schools have greatly improved. The system is cheaper and better than the old; yet the present act is deficient in many respects, and is unpopular. The office of county superintendent must be abolished, or it will be at half-pay and disregarded; not that the office is unnecessary or useless, but because it has a salary. Very many of the voters of this country will put down anything in the shape of a tax, however useful."

Even the county superintendents who favored the office seem to have felt that a definite salary should be stipulated and that the office should be taken out of politics. The county superintendent of Lucas County declared: "*If political feeling would let it alone, it would soon be an efficient one*". That national politics also affected the office is evidenced by the statement of a Des Moines editor who had been defeated by the Democratic candidate: "We shall not abate one jot or tittle of our hostility to the Le Compton Locofocoism of this ungodly age"; and the same editor a week later gloats over the fact that the re-

turns received up to that date showed eight Republicans to four Democrats safely elected to the office of county superintendent of schools.<sup>29</sup>

#### FACTORS OF OPPOSITION

No doubt much of the opposition to the county superintendents arose from the fact that they, as a whole, favored the school law as enacted by the State legislature and as reenacted by the Board of Education. The plan and work of the Board was not popular owing to a feeling on the part of the public that it took the schools out of the hands of the people. The members of the Board themselves did not entirely agree on the question of districts. Several were convinced that the old independent district was the best solution of the common school problem; that the independent district meant freedom from outside supervision, or "interference" as the opponents of school centralization called it. Others felt that the county superintendent had so little power that the office was useless. Another factor which strengthened the hostility against the county superintendent was the often mentioned tendency to grant certificates to teachers at the solicitation of political friends. And to all of these objections must be added the plea of economy. The State of Iowa had not entirely recovered from the financial panic of 1857, and the lopping off of any salary meant to the burdened farmers less taxes. The enemies of the office made the most of this proposed saving.

Perhaps the greatest menace to the office of county superintendent of schools, however, came from the lack of understanding of what supervision really meant and what real benefits would be derived from efficient supervision.

<sup>29</sup> *Weekly Times* (Dubuque), December 30, 1858; *Report of Secretary of the State Board of Education*, 1859, pp. 33, 42, 43, 48; *Iowa Citizen* (Des Moines), April 7, 1858.



When the Board of Education abolished the office of Superintendent of Public Instruction — although the incumbent had been elected by the people and his term had yet a year to run — the change did not help the cause of the county superintendents.

The reports of the Secretary of the Board of Education, Thomas H. Benton, Jr., for the year 1859 indicate that the county superintendents were rather indifferent and uninterested in their work. Only thirty-one counties were represented at the meetings held by Mr. Benton in the various judicial districts during the months of August, October, and November, 1859. Three were reported sick. Mr. Benton, however, excuses many of the absentees on financial grounds, saying that many county superintendents knew they were to be superseded at the October election, or they had been retired at the time the later meetings were called. These men could not, and would not, afford to attend under such conditions and without remuneration for actual expenses incurred.<sup>30</sup>

During the campaign of 1859 not a few of the prominent newspapers of the State favored the abolition of the office; and for a time it looked as though the Board of Education would take this step. On the eve of the second session of that body, however, sentiment changed somewhat, and *The Iowa Weekly Citizen* expressed the hope that "the office of County Superintendent will not be hastily abolished . . . there is need of a supervisory power".<sup>31</sup>

The report of Thomas H. Benton, Jr., as Secretary of the Board of Education showed that the salaries paid all the county superintendents was \$5840.84 less than the

<sup>30</sup> *Report of the Secretary of the State Board of Education, 1859*, pp. 5, 6.

<sup>31</sup> *The Iowa Weekly Citizen* (Des Moines), December 14, 1859.

amount paid to the school fund commissioners in a similar period under the old law. He used these statistics as one of his arguments for the retention of the office. This part of Mr. Benton's report was referred to a special committee, which after consideration recommended that the office be abolished. Their plan was to substitute a county examiner to discharge the more important duties. This examiner was to receive two dollars per day. On the other hand, the Committee on School District Organization and Elections recommended that the county superintendent be taken out of politics and the office filled by the boards of the several district townships.

Two bills were introduced and each was considered by the Board in committee of the whole; but later in the session the Committee on School District Organization and Elections reported a substitute for both. A third bill imposing upon the county judge the duty of making the annual report to the Secretary of the State Board of Education was indefinitely postponed, and the substitute bill was passed on December 20th by a vote of eight to two and approved by the President on December 24th, as Part VIII of the School Laws.<sup>32</sup>

#### RESULTS OF THE UNCERTAINTY

The efficiency of the office of county superintendent of schools was seriously affected by this act. He was no longer required to visit schools, and should a county superintendent decide to do so, neither salary nor expenses were paid him for such work. He now drew compensation for the time necessarily engaged in official duties, visitation of schools being regarded by the Board of Education as

<sup>32</sup> *Report of the Secretary of the State Board of Education*, 1859, p. 14; *Journal of the State Board of Education*, 1859, pp. 11, 18, 20, 24, 29, 35, 36, 42; *Educational Laws of the State of Iowa*, 1860, p. 23.

unnecessary. The county superintendent had become a clerk who conducted teachers' examinations two days each month.

The compensation of the superintendent was fixed at two dollars a day; and under ordinary conditions he might not exceed twenty-eight dollars a year, for his reports were usually made out and other business transacted on examination days. He had in addition an uncertain income from the fees of one dollar charged to applicants who came for examination at other than the regular days. It may be noticed also that in order to collect this meager stipend the county superintendent had to file with the county judge a statement of his account, the correctness of which was attested by oath.

The annual reports of the county superintendent remained practically the same. On or before the 5th day of October he was to transmit to the Secretary of the Board of Education digests of district reports, together with such other material, including recommendations, as he thought valuable. The abstract of the number of youths of school age was still sent to the county judge. Should the superintendent fail to make either report, he forfeited fifty dollars to the school fund—about twice his annual salary. This penalty is still included in the statutes governing the office, and is one of the few provisions which have remained unchanged throughout the history of the office.

#### THE LEGISLATURE OPPOSES THE BOARD OF EDUCATION

When the Eighth General Assembly met in 1860, Governor Kirkwood in his inaugural message advised that the school laws be left alone. Since the Constitution had almost wholly withdrawn the power from the legislature, he thought it would be prudent to interfere with the Board's

recent action only where examination showed "an overpowering necessity for so doing".<sup>33</sup>

The General Assembly, however, attempted to get at the matter from a different angle. A bill was passed to postpone the next meeting of the Board of Education until December, 1865. The legislators seem to have reasoned that while Section 15 of Article 9 of the Constitution did not give the General Assembly power to abolish the Board of Education until "after the year 1863", the fourth section of the same article gave the General Assembly the power to fix the time and place of all meetings of the Board after the first; so why not postpone the next meeting of the Board until after such time as the legislature might constitutionally abolish it.

Governor Kirkwood vetoed the bill on the ground that it conflicted with "the spirit if not the letter of the Constitution": such an act would deprive those members elected by the people at the next election of their whole term of service, and in addition would jeopardize the school system, leaving it without constitutional authority to legislate.<sup>34</sup>

The Board of Education met in December, 1861, for its third and final session. The old question of what to do with the county superintendent was introduced early and discussed thoroughly. Finally the Board enacted a rather complicated law "Defining the duties and regulating the Compensation of County Superintendents." It set the election of superintendents for the second Tuesday of October, 1863, and thereafter at the general election, required them to give bonds, and provided that they should

<sup>33</sup> Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 230.

<sup>34</sup> Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, pp. 359, 360.

visit each school in person at least once a year and should deliver an address in each township sometime during the year. The dates of teachers' examinations were to be on the second Tuesday of April and September — except that in case an institute was held in the county during the year, one of these dates should be changed so that examinations occurred during the institute. The compensation was placed at two dollars a day and mileage — the total sum not to exceed three dollars per school in any one year.

This act of the Board was to go into effect on April 1, 1862; but before that date it was repealed by an act of the General Assembly which contained much of the Board's plan, but left the days for examination of teachers the same as before and limited the compensation to an amount not to exceed fifty dollars per year in counties having less than twenty-five schools, and not more than two dollars per district in counties having more than twenty-five schools. No provision was made for the visiting of schools. This time it appears that the office of county superintendent suffered not only from the attacks made upon it, but also from the animosity of the legislature toward the Board of Education.<sup>35</sup>

During the next session of the General Assembly the attack upon the Board of Education was renewed with vigor. The time set by the Constitution for experimenting with such a board had passed, and the General Assembly proceeded to resume control of the educational interests by abolishing the Board on March 19, 1864.

#### PERIOD OF UNCERTAINTY

Contrary to the expectations of supporters on both sides of the struggle for control of the educational system, the

<sup>35</sup> *The Iowa Instructor*, Vol. III (1861-1862), pp. 146-148; *Laws of Iowa*, 1862, Ch. 172.

Tenth General Assembly in 1864 did little with the office of county superintendent of schools except to fix his compensation at two dollars per day, provided he visited each school at least once a year. Thus, the duty of visiting schools was reenacted, but pay for such services was optional with the board of supervisors.<sup>36</sup>

Chapter 143 of the acts of the Eleventh General Assembly, in 1866, amended sixteen sections of the school law of 1862. Little of the new act affected vitally the office of county superintendent, except that section which fixed his compensation at three dollars per day for time actually spent in his official duties — provided he should visit the schools at least once a term, and spend at least one-half day in each visit. For this visiting he was to receive such additional compensation as the board of supervisors might allow.

How this law worked out is well shown in the report of the State Superintendent for 1867 when he said it was a common and just complaint that in many counties, after the superintendents had filed the sworn statements as required by law, the board of supervisors insisted upon cutting down their accounts. "In some instances supervisors raised technical objections, refusing to allow an account at all, because the Superintendent had not visited every school each term; when, perhaps, owing to the number of schools and the short time for which they were taught, a literal compliance with the law was impossible."<sup>37</sup>

In 1868 the General Assembly made but few changes in the school law. In two respects the county superintendent was affected: the State Superintendent was given power to call conventions of the county superintendents at such

<sup>36</sup> *Laws of Iowa*, 1864, Ch. 52.

<sup>37</sup> *Laws of Iowa*, 1866, Ch. 143; *Biennial Report of the Superintendent of Public Instruction*, 1867, p. 49.

times and places as he deemed best; and the county superintendent was to receive a copy of the report of the Adjutant General for the year 1867.<sup>38</sup>

The next session of the legislature did little better. A school for the blind having been organized, the county superintendent was required to report to the superintendent of that institution the number, names, and addresses of the blind in his county. Two other acts were passed which gave the county superintendent more power: the first provided the method for attaching territory in one county to a school district in another county; and the second established county high schools and made the county superintendent not only a member but also president of the board of trustees. The same act set forth the manner of securing school sites.<sup>39</sup>

In his *History of Education in Iowa* C. R. Aurner sums up the situation as follows:

For fifteen years the office of county superintendent was really a temporary institution, and a disposition to abolish it was frequently manifested. One may trace this opposition to its ultimate source in the old independent district system and to the inherent unwillingness to submit to any outside interference or even oversight. About 1872 the opposition to the office of county superintendent reached its height.

The legislature again became the battleground, and several bills affecting the office were introduced. Some proposed to change the duties, some regulated the compensation, and one at least aimed to abolish the office. These bills, however, were killed in committee. Two insignificant acts were the product of this attempted legislation: one required the county superintendent to investigate before

<sup>38</sup> *Laws of Iowa*, 1868, Chs. 17, 162.

<sup>39</sup> *Laws of Iowa*, 1870, Chs. 31, 79, 94, 116.

revoking the certificate of any teacher, and the other provided for an annual report to the Superintendent of the Iowa Institution for the Deaf and Dumb similar to the one made to the School for the Blind.<sup>40</sup>

The *Code of 1873* added the provision that the county superintendent should hold no other office nor be a member of a district school board. The next General Assembly continued the policy of tinkering with the school laws and after considerable debate decided to require that each teacher registering in a teachers' institute should pay a fee of one dollar.<sup>41</sup>

The State Teachers' Association in 1875 recommended that the county superintendent be appointed by a county board of education consisting of the presidents of the school boards in the county, and that aspirants to the office be required to hold a State certificate or a life diploma. This report suggests the present system.

#### THE OFFICE OF SUPERINTENDENT OPENED TO WOMEN

An interesting election contest occurred in 1875 — a contest destined to decide the future personnel of the office. At the election Howard A. Huff was defeated by Elizabeth S. Cook for the office of county superintendent in Warren County. Mr. Huff contested the election on the grounds that a woman was ineligible, claiming the office for himself. Judge John Mitchell of the circuit court decided that Miss Cook could not qualify since a woman was ineligible to the office of county superintendent; but he ruled also that Mr. Huff could not claim the position as he had not received a majority of the votes cast at the election.

<sup>40</sup> Aurner's *History of Education in Iowa*, Vol. II, p. 78; *Journal of the House of Representatives*, 1872, pp. 92, 104, 111, 267, 405, 435, 446; *Laws of Iowa*, 1872 (Public), Chs. 114, 133; *Journal of the Senate*, 1872, pp. 186, 217.

<sup>41</sup> *Code of 1873*, Sec. 1776; *Laws of Iowa*, 1874, Ch. 57.



When Miss Cook appealed the case to the Supreme Court the decision was awaited with great interest in every county in Iowa. Women had held the office in various counties since 1869 when Julia C. Addington was appointed county superintendent of Mitchell County and then elected to the office at the general election. At that time the Attorney General ruled that the laws of 1862 contained no express provision making male citizenship a test of eligibility. Since women were citizens as well as men they were entitled to privileges as such. Miss Addington, of course, continued to hold the office, and in 1871 two other women were elected. This success encouraged more women to seek the office, and at the time Miss Cook was elected, women had been chosen to fill the office in five counties.

Before the Supreme Court could render its decision, the General Assembly enacted a law providing that women were eligible to the office and making the provisions of the act retroactive. The Supreme Court, therefore, did not pass upon the original question at issue but did affirm the power of the legislature to admit women to this office and to legalize past elections.

The immediate effect of this decision was to double the number of women elected to the office of county superintendent in 1876. The number has steadily increased since that time with the exception of the years 1878, 1880, 1882, and 1888. The election of 1921 placed sixty-one women in the office, six of whom succeeded men, while only four women were succeeded by men.

Since the regular elections of 1921 there have been six changes in the personnel of county superintendents. In these changes three women succeeded women, two men succeeded women, and one woman succeeded a man.<sup>42</sup>

<sup>42</sup> Aurner's *History of Education in Iowa*, Vol. II, p. 80; *Laws of Iowa*, 1862, Ch. 172; Gallaher's *Legal and Political Status of Women in Iowa*, pp.

## DISCUSSION AND MINOR CHANGES

Judged by the absence of vital legislation and by the lack of notice in the press, the county superintendent of schools was almost forgotten during the decade following the admission of women to the office. During the campaign of 1877 there was a feeble attempt to raise the issue of abolishing the office. At the next session of the General Assembly, legislation proposed in the House of Representatives took the form of bills to reduce the salary and abolish the visiting powers of the superintendent. While all of these measures failed of enactment, the Senate succeeded in passing a bill in regard to county institutes, and another in regard to the manner of holding teachers' examinations — both of which were really compromises upon legislation attempted at the last session.<sup>43</sup>

The Eighteenth General Assembly, in 1880, enacted no legislation affecting the county superintendent, although five bills were introduced in the House of Representatives.<sup>44</sup> During the Nineteenth General Assembly, the House of Representatives killed three bills lowering the compensation of the office. Several bills of minor importance were enacted during the session: one made it the duty of the county superintendent to report the names and the number of feeble-minded children to the superintendent of the institution provided by the State for their care; a second gave the county superintendent power to call the attention of school directors to the law that trees must be planted on the grounds; a third provided for the registering of State certificates and the method of entering complaints

228-232; *Laws of Iowa*, 1876, Ch. 136; *Huff v. Cook*, 44 Iowa 639; reports from county superintendents affected.

<sup>43</sup> *Laws of Iowa*, 1878, Chs. 54, 143.

<sup>44</sup> *Journal of the House of Representatives*, 1880, House File Nos. 71, 82, 269, 399, 465.

for the revocation of such certificates; and a fourth made visiting schools discretionary with the county superintendent, except that, when requested to do so by a majority of the board of directors, he must visit a school at least once during the term. The compensation for such visiting was increased to four dollars a day. The legislature must have been convinced that there were times when such work was expedient.

The sum total of educational legislation in 1884 was an act forbidding the erection of barbed wire fences about the school grounds; while the Twenty-first General Assembly added physiology and hygiene to the list of subjects to be taught in county institutes.<sup>45</sup>

#### A COUNTY BOARD OF EDUCATION

The Twenty-third General Assembly provided for the organization of a county board of education of which the county superintendent was to be chairman, the other members being the county auditor and members of the county board of supervisors. This board was created to carry out the provisions of the law allowing counties to adopt uniform textbooks for use in all the common schools outside of independent town or city districts. To adopt this plan a petition signed by one-half of the school directors in any county must be filed in the office of the county superintendent thirty days before the annual school elections in March. The county superintendent as soon as possible notified the county auditor and the board of supervisors in writing, and within fifteen days they met and provided for the submission of the question to the voters at the next annual meeting. If the question carried, this board of education proceeded to select the books by advertising at least three weeks for bids and samples. The books selected

<sup>45</sup> *Laws of Iowa*, 1882, Chs. 23, 40, 161, 167, 1884, Ch. 103, 1886, Ch. 1.

by the board were placed on sale in various depositories throughout the county.

The present county board of education as created by the Thirty-eighth General Assembly assumed this authority to select the uniform textbooks and the reports of county superintendents indicate that the newly constituted board is much more efficient and helpful than the old in selecting suitable texts.

No legislation affecting the office of county superintendent was passed by the Twenty-fourth General Assembly; but at the last session there was enacted a bit of special legislation making it a part of the duties of the county superintendent to receive the reports of pupils in training schools. This applied, at that time, only to Black Hawk County because the only training school was in connection with the State Normal School at Cedar Falls.<sup>46</sup>

The law governing examinations for teachers' certificates was revised by the Twenty-sixth General Assembly. Economics and civics were added to the list of subjects for a first grade certificate, and teachers in kindergartens were required to have certificates.

#### A REVIVAL OF INTEREST

While legislators and party newspapers had ceased to pay much attention to the office, the work of the county superintendents had gone on with more or less success. Among their number were well qualified, industrious individuals who tried to keep abreast of the times. Written examinations had almost become the rule. Teachers were compelled to attend the county institute. In the conventions of the county superintendents and at the sessions of the Iowa State Teachers' Association the problems connected with the office were ably discussed.

<sup>46</sup> *Laws of Iowa*, 1890, Ch. 24, 1894, Ch. 40, 1919, Ch. 56.

The editor of the *Iowa Normal Monthly* urged longer service, and insisted that the office should not be abolished. The same paper during the year 1893-1894 conducted a symposium on "How Can the County Superintendency Be Made More Effective?" Among the contributors were two county superintendents, R. C. Barrett and J. B. Knoepfler, both of whom were afterwards elected to the office of State Superintendent of Public Instruction. While the contributors differed widely in their advocacy of methods for accomplishing the desired results, all advocated higher qualifications, non-partisan elections, longer terms, better pay, additional powers, and sufficient office help, with, perhaps, assistants for the supervision of teachers in service.<sup>47</sup>

In his biennial report for 1891, State Superintendent Henry Sabin opened his discussion of the office by saying that it was "a subject for congratulation that it is no longer necessary to adduce arguments in favor of retaining the county superintendency. We believe this office to be indispensable to our school system." He urged that the law in regard to qualifications and selection of county superintendents be amended along the lines of the Pennsylvania or Indiana plan, and that they be granted more power and authority.<sup>48</sup>

The adoption of the *Code of 1897* made no changes in the status of the county superintendent, but the next General Assembly tinkered with the institute fund and the certification of teachers.<sup>49</sup> In 1900 vocal music was added to the list of institute subjects; the county superintendent was given power to select library books for the districts; and he was placed in charge of the uniform textbooks should

<sup>47</sup> *Laws of Iowa*, 1896, Chs. 38, 39; *Iowa Normal Monthly*, Vol. I, pp. 3, 126, Vol. XVII, pp. 474-481.

<sup>48</sup> *Report of the Superintendent of Public Instruction*, 1891, pp. 23-25.

<sup>49</sup> *Laws of Iowa*, 1896, Chs. 85, 86, 87.

such system be adopted by his county.<sup>50</sup> This law indicated a growing recognition of the county superintendents as the proper officers for the performance of such duties.

In 1902, for the first time in its history, the office was placed on a salary basis. The legislation provided a salary of \$1250 per year, plus postage, office expense, and traveling expenses to meetings called by the State Superintendent. No remuneration, however, was provided for visiting schools.<sup>51</sup> By another law the county superintendent was required to furnish to the board of supervisors on January 1st of each year an itemized statement of the financial transactions of his office.

A single act requiring the county superintendent to publish a summary of the financial affairs of his office was the sum total of the legislation affecting the office in 1904.<sup>52</sup>

#### CERTIFICATION OF TEACHERS

During the next few years the question of the training and certification of teachers began to receive more attention from the public, and the proceedings of the Iowa State Teachers' Associations contain many papers and discussions upon this important phase of public education. The biennial reports of the Department of Public Instruction also contain much material upon the subject. Educators felt that the county superintendents were too liberal in granting certificates to friends, personal and political. It appears that very often teachers holding first grade certificates in one county could get but a second grade in an adjoining county — a condition which indicated a lack of uniformity to say the least.

The county superintendent might compel a teacher to

<sup>50</sup> *Laws of Iowa*, 1900, Chs. 109, 110, 112.

<sup>51</sup> *Laws of Iowa*, 1902, Ch. 124.

<sup>52</sup> *Laws of Iowa*, 1902, Ch. 123, 1904, Ch. 113.

attend the full institute or suffer the indignity of failing to receive a certificate. One teacher, who styled herself "a Village Schoolma'am", rather humorously ridiculed this plan in an article entitled "The Institute or Summer Vacation, Which?". In this account she told of passing all the examinations required by an Iowa county superintendent only to be told that no certificate would be issued until after county institute, and none then unless she attended the full time. She added that the institute occurred on the dates she had planned to take advantage of a summer excursion rate.<sup>53</sup>

In an attempt to secure more uniformity, the State Superintendent began to send out monthly lists of questions, the use of which was optional. Evidently some people must have objected to the use of these uniform questions for there occurs in the school reports of 1902 an opinion from the Attorney General that the State Superintendent has authority to prescribe the conditions under which county superintendents shall issue certificates as well as the grades and character of such certificates. In harmony with this opinion State Superintendent Richard C. Barrett, on September 15, 1902, prescribed a set of rules and regulations for uniform examinations.<sup>54</sup>

#### LACK OF FAITH IN THE OFFICE

By 1906 the public had again almost lost its faith in the county superintendent. The qualifications had been increased somewhat by the requirement that the incumbent should hold a State certificate, a life diploma, or a two year certificate, and the salary and expense allowance had been increased in a measure. Yet the office was not showing favorable results. In many counties the superintendent

<sup>53</sup> *Iowa Normal Monthly*, Vol. XVI, p. 72.

<sup>54</sup> *Biennial Report of the Superintendent of Public Instruction, 1902-1903*, pp. 52-55.

did not maintain an office worthy of the name. He spent as little of his time as possible in his office, and, it is probable, made as few visits to the schools of his county as his conscience would permit. For all of this the office and not the man should be blamed. In reality the criticism should be upon the legislators whose economical ideas when carried out by still more penurious boards of supervisors destroyed the efficiency of the office.

In his annual report for 1905 State Superintendent John F. Riggs commented upon the situation by saying that "a large and important part of the county superintendent's work is necessarily away from the county seat. That Iowa county superintendents within the biennial period have made 12,646 visits to schools and have conducted 795 educational meetings is an eloquent tribute to their integrity and energy, in view of the fact that such work is optional and not obligatory. The law offers a premium for inactivity since the superintendent is at far less expense in his office than when out among the schools." Mr. Riggs then recommended that "the law should require the county board of supervisors to audit and allow claims for traveling expenses for this officer within definite limits for any month".

The law had provided that the county superintendent should hold an examination for teachers' certificates two days a month, obey the instructions of the State Superintendent, and visit the schools when requested to do so by a township officer and at such other times as he desired. But the visits and other outside matters required traveling expenses which had to be paid out of the superintendent's salary. In other words the more a county superintendent did the less pay he received. Why should he work?<sup>55</sup>

<sup>55</sup> *Biennial Report of the Superintendent of Public Instruction, 1904-1905*, p. 16.



## THE OFFICE AFTER 1906

The people who were interested in the common school system realized that radical changes must be made in the certification of teachers and the inspection of schools. Repeated failure of the General Assembly to heed urgent demands for revision and amendment made the sponsors of this new movement the more determined. Candidates for the Thirty-first General Assembly were sounded as to their opinions, and while the enactments of this Assembly were not startling, they constitute the beginning of fifteen years of legislation which has made the office a new power in common school education.

## NEW QUALIFICATIONS, POWERS, AND DUTIES

Almost as soon as the Thirty-first General Assembly had organized Senator M. F. Stookey introduced Senate File No. 3, a bill to amend the section of the Code relating to certificates so that upon certain conditions a certificate issued in one county would be good in any county in Iowa. This bill was referred to the Committee on Elections. Ten days later Mr. Stookey asked that it be withdrawn from the Committee on Elections and re-referred to the Committee on Schools. This was agreed to by the Senate. Later Mr. Stookey introduced Senate File No. 296, a bill to repeal various sections of the Code and of the supplement to the Code, to define the powers and duties of the Educational Board of Examiners, and to encourage training in the science and art of teaching. This bill was referred to the Committee on Schools, which reported unfavorably, and the measure was indefinitely postponed.

Senate File No. 30, introduced by Senator J. L. Warren, was referred to the Committee on Schools on January 16th. Having been reported by the committee with amendments

the bill was deferred, made a special order, amended, debated, and so on for several days. Senator J. H. Jackson introduced a substitute which after some consideration was rejected. Finally Senator Warren's bill passed the Senate and went to the House of Representatives. There it was again amended. The Senate agreed to the House amendments and the bill went to the Governor on April 3rd.<sup>56</sup>

This act, which was to go into effect on October 1, 1906, radically changed the office of county superintendent. Section two provided that the superintendent should be the holder of a first grade certificate as provided in the act, or a State certificate, or a life diploma. During his term he was to be ineligible to the office of school director or membership on the board of supervisors. He was required to visit the schools at least once a year and at such other times as requested by a majority of the directors of any school corporation, and he was to give personal instruction to the pupils at least one quarter of a day. On the first Monday of each month, he was to file with the county auditor an itemized and sworn statement of his actual expenses incurred in visiting schools and attending educational meetings within his own county during the previous month, and such expenses were to be allowed by the board of supervisors but not in an amount in excess of twenty dollars a month.

*County Uniform Certificates.* — Until October 1, 1906, county superintendents conducted examinations for teachers on the last Friday and Saturday of each month, and read the papers themselves. According to the law enacted by the Thirty-first General Assembly, which went into effect on this date, four regular examinations were provided.

<sup>56</sup> *Journal of the House of Representatives*, 1906, pp. 838, 839; *Journal of the Senate*, 1906, Senate File Nos. 3, 30, pp. 655, 946, 1036, 1083.

To this number the Thirty-sixth General Assembly added a fifth. The regular examinations now occur on the last Friday of January, June, July, August, and October and the Wednesday and Thursday preceding. They are held at the county seat, although the county superintendent may at his discretion provide for examinations to be held other places at the same time. For Black Hawk County the June and July examinations are usually held at Cedar Falls as well as at Waterloo. The board of supervisors is required to furnish rooms suitable for conducting the examinations, and must provide such assistance as the county superintendent requires.

Questions are made out by the Educational Board of Examiners and all examinations are conducted under the rules of this board. The papers, except those in didactics, are corrected in Des Moines by readers employed by the Educational Board of Examiners. Until 1921 ten of these readers were to be county superintendents who were called head readers and received only necessary traveling expenses. A fee of one dollar is charged for each applicant, one-half of which goes into the county institute fund.

One of the requirements for renewing uniform county certificates is that the candidate shall read at least one professional book each year. These books are selected by the Reading Circle Board, which consists of the State Superintendent of Public Instruction and six county superintendents elected by the county superintendents at their November meeting for a term of two years. Two members are elected each year. The State is divided into six districts and the board member from each district is reading circle manager for his own district while the county superintendent is manager for his own county.

County superintendents must approve all applications

for renewal of uniform county certificates under the rules of the Board of Educational Examiners. Uniform county certificates of first and second grade may be renewed any number of times, but third grade certificates may be renewed but once.

All certificates are to be registered in the office of the superintendent of the county in which the holder teaches. The fee for such registration was at first one dollar, which went into the county institute fund, but this fee has been abolished. Third grade certificates are not to be registered if the county superintendent feels there are enough teachers with higher certificates to fill the educational needs of the county. When sufficient teachers with certificates can not be secured the Board of Examiners may, upon request of the county superintendent, provide for a special examination in such county to be conducted in the same manner as regular examinations. Provisional certificates are then issued by the Board. Provisional certificates are also issued upon college credits when requested by the county superintendent. Provisional certificates are valid only in the county from which they are issued, and must be registered with the county superintendent. All other certificates are valid in any county upon registration.

The county superintendent must satisfy himself that all applicants for certificates are of good moral character. He is to keep a record of all examinations taken in the county with the name, age, and residence of each applicant, and the date of examination. On the first Monday in September of each year, he files with the president of the Educational Board of Examiners a list of all persons who for the preceding year held certificates and have attended the normal institute, with the number of days of attendance in each case. A similar report is to be made of summer

school attendance. The law provides the method of revoking certificates and gives the county superintendent large discretionary powers in the matter. The same act provides that the county superintendent may appoint a deputy to act in his stead except in the matter of visiting schools or trying appeals.

Another act provided for the election of county superintendents in the year 1906 and thereafter biennially. A third act made the first real provision for consolidated independent districts, although central schools had been organized and in operation for several years. Now it was made necessary that the approval of both the county superintendent and the State Superintendent should be secured before presenting the petition for consolidation. An act amending the section on school district organization made the reports of the county superintendent due the last Tuesday in August.<sup>57</sup>

#### RESULTS OF FIRST YEAR

The new legislation put new life into the office of county superintendent, and the results were gratifying, especially along the lines of the certification of teachers and the visiting of schools.

State Superintendent John F. Riggs said in summarizing the results of the first year that: "Contrary to general report, the county superintendent still exercises large powers in the licensing of teachers. He alone passes upon the general fitness and moral character of each applicant. If he withholds his recommendation of an applicant a certificate is not granted. . . .

"The putting into force of the new system of certifying the teachers which directly affected 26,000 persons, could

<sup>57</sup> *Laws of Iowa*, 1906, Chs. 39, 122, 136, 1915, Ch. 291; *Midland Schools*, Vol. XXXVII, p. 122, December, 1922.

not be done without some friction. Naturally the administration will work more smoothly from this time on. The law so far as tested is regarded as successful by those best able to judge."<sup>58</sup>

#### INCREASED RESPONSIBILITY

Because of the change to biennial elections, the next session of the General Assembly was held in 1907, when two minor acts were passed adding to the powers and duties of the county superintendent: he was empowered to call special elections for filling vacancies on the boards of directors if the number of members fell below a quorum and had no secretary, and he was given authority to enforce the compulsory education law. The same Assembly passed an act authorizing a commission to revise the school laws, but the report of this commission did not prove acceptable to the legislature.

Since 1907 the General Assembly has made various changes in the laws of 1906. The Thirty-third General Assembly gave the board of supervisors power to fix the bonds of the county superintendent.<sup>59</sup> By the Thirty-fourth General Assembly the work of county superintendents was considerably increased. In districts not maintaining four year high schools of an approved character provision was made for the payment of the tuition in an approved high school of those pupils presenting a certificate showing completion of the eighth grade.

The county superintendent is to furnish such certificates of proficiency in the common branches. This means conducting eighth grade examinations as well as providing and issuing tuition certificates. Although this law has been amended several times, it is still a vital factor in public

<sup>58</sup> *Report of the Superintendent of Public Instruction, 1906-1908*, pp. 31, 35.

<sup>59</sup> *Laws of Iowa, 1907*, Chs. 150, 154, 222, 1909, Ch. 75.

school work. Examinations are given in February and May of each year, and usually in August, the questions being sent out by the Department of Public Instruction. Some county superintendents insist that all applicants shall write the examinations at the county seat; others allow the pupils to write under the direction of the superintendent of the town or city system nearest them; and a few county superintendents allow the rural teachers to give the examination to their own pupils. Most of them grant certificates without examination to tuition pupils who complete the eighth grade of an approved school.

Some superintendents have followed the plan of admitting to high schools, with the approval of the city superintendents and high school principals, certain pupils who failed to pass in one or more of the common branches, but whose age and general fitness makes them likely to do work in high schools. At the end of a six weeks or three months period the legal certificate is issued, if the high school principal can certify satisfactory progress on the part of the pupil. This view of the county superintendent's powers has given many young people a chance to receive a high school education where a strict observance of the law would have deprived them of such opportunity. Others have combined examinations and daily grades in issuing certificates.

The establishment of normal training high schools gave the county superintendent an added duty of conducting the examinations, checking results, and certifying certain items to the State Department of Public Instruction. The renewal of certificates requires testimonials of successful teaching, the reading of professional books, and general fitness.<sup>60</sup>

<sup>60</sup> *Laws of Iowa*, 1911, Chs. 130, 131, 143, 146.

## ELECTION BY CONVENTION

The Thirty-fifth General Assembly again took up the problems of educational legislation. Many bills were introduced in both houses, and as regards the office of county superintendent six or seven are important. The most radical change was in the time and manner of selection — the new act providing that on the first Tuesday of April in the year 1915, and each third year thereafter, and whenever a vacancy occurs in the office of county superintendent of schools, a convention shall be held at the county seat for the purpose of electing a county superintendent of schools, at which convention each township, city, town or village independent district and each independent consolidated district in the county shall be entitled to one vote. Each such school corporation shall be represented by the president of the school board, or in his absence or inability to act, by some member of such school board to be selected by the board. It is further provided that where a congressional township is composed in whole or in part of rural independent districts that such rural independent districts shall be entitled to one vote in the convention, which vote shall be cast by such person as may be selected by the presidents of the component rural independent districts within such township. All representatives shall serve until a county superintendent is elected and qualified.

The convention for the election of superintendent is called by the county auditor by mailing a written notice to each president and secretary at least ten days before the day of meeting and publishing a notice in the official newspapers of the county. The county auditor serves as secretary of the convention. He calls the convention to order and submits a list of the school corporations entitled to participate. The convention then selects a chairman and



proceeds to the election of a county superintendent who must possess the legal qualifications. The person selected then serves for three years or until his successor is elected and qualified. The convention may choose a committee of five members to investigate and report on the candidates at a subsequent date to which the convention may adjourn, or it may by a three-fourths vote authorize such committee to elect a county superintendent of schools and file the name of its choice with the county auditor, whereupon such person is deemed duly elected to the office. In the convention a majority of the representatives provided for constitutes a quorum. The representatives are paid ten cents a mile one way for the distance necessarily traveled in reaching the place of the convention.

The act raised the compensation of the superintendent to \$1500 a year, made provision for necessary office stationery, postage, expenses incurred in attending meetings called by the State Superintendent, and such further compensation as the convention might deem proper. The board of supervisors might also allow him still further compensation. The salary was to be paid monthly, and all claims for expenses were to be made by verified statements filed with the county auditor who drew a warrant for the amount. The same method of election still exists, but the compensation has been changed several times during the past ten years.

In another section of the law the qualifications and duties of the county superintendent were clearly outlined and the sum he might collect for expenses incurred within his own county was limited to \$250 a year. Superintendents then in office were to hold over until September 1st — the present time for making changes in the office, the elections occurring every three years.

Another radical change was in the manner of conducting county institutes. Instead of the old six-day institute held during vacation, each county now has at least one two-day session at such time as the schools of the county are regularly in session. These are popularly known as inspirational institutes. All teachers of the county are required to attend the entire two days unless excused by the county superintendent. In city systems employing twenty-five or more teachers the city superintendent may, with the approval of the county superintendent, plan his own series of lectures.

Several laws of minor importance affecting the office of county superintendent were enacted at this session. The county auditor had for many years sold copies of the school laws, but a new act gave the county superintendent authority to furnish a copy to each school officer and to other persons who requested copies. A report of all deaf persons under the age of thirty-five years was to be made to the Superintendent of the School for the Deaf. The extension of normal training in high schools added to the work of county superintendents. From four to six weeks summer school was authorized in counties where the county superintendent deemed it advisable, but few counties have held such schools since 1914. The college summer sessions have removed all necessity for such county teacher training.<sup>61</sup>

The Thirty-sixth General Assembly passed an act amending the qualifications of the county superintendent so that their certificates must meet the new requirements at once. Another act provided for an examination in August at which those who received their normal training in summer schools might write.<sup>62</sup>

<sup>61</sup> *Laws of Iowa*, 1913, Chs. 107, 225, 232, 239, 242, 249, 256.

<sup>62</sup> *Laws of Iowa*, 1915, Chs. 129, 291.

## FURTHER POWERS AND DUTIES

In 1917 the law governing tuition pupils was amended, the county superintendent being given power to determine the amount due the creditor corporation, subject to an appeal to the district courts. The law on the consolidation of schools was rewritten, but the powers and duties of the county superintendents were not materially affected thereby. Other acts made it necessary for the county board of supervisors to give approval in writing before a deputy county superintendent could be appointed; and gave the county superintendent power to appoint appraisers for new school sites.<sup>63</sup>

The Thirty-eighth General Assembly passed some forty acts in revision of the school laws. Several of these affected the office of county superintendent. The salary depended upon the population of the county, varying from \$1600 to \$2500 and expenses as heretofore provided. But no salaries were to be increased until June 30, 1921; and no one then receiving more than the schedule salary through action of the board of supervisors was to be reduced in his salary. Expenses for visiting schools were to be allowed up to \$400 a year, the deputy's salary was to be fixed by the board of supervisors but was not to be less than \$750 per year.

Many miscellaneous duties were now placed upon the county superintendent, such as enforcing the compulsory education law and the law providing for the teaching of secular subjects in English; reporting rural schools which meet the requirements of "standard" schools; assisting such schools in the use of their appropriation; appointing a board of directors in school corporations where no director qualified; endorsing the record of successful teaching

<sup>63</sup> *Laws of Iowa*, 1917, Chs. 26, 156, 317, 432.

upon teachers' certificates so that the holder might receive the benefits of experience under the minimum wage law; receiving a copy of the contract between the State colleges and districts having demonstration schools.

The Thirty-eighth General Assembly also provided for a new county board of education, which was to take over the selection of uniform textbooks, hear appeals on cases arising from the organization or dissolution of consolidated schools, and act as an adviser to the county superintendent in all school matters.

This new board of six members is to be chosen by the same convention which elects the county superintendent and after April, 1919, at the same session. Members may be of either sex, but must at the time of selection be qualified voters of the county. The county superintendent is chairman of the board of which but one member, outside of the county superintendent, may be from the same school corporation. Meetings are held on the second Monday of August and September of each year and at the call of the county superintendent, or upon the written request of any three members.<sup>64</sup>

One of the most important pieces of legislation during the session of the Thirty-ninth General Assembly in 1921 was the act governing consolidated school organizations. The old plan was entirely rewritten, the details being made very much clearer. Another act of the same session placed the upper limit of the salary at \$3000 per year. A third act, in the nature of a blanket repeal, did away with the head readers, that is, the ten county superintendents who had been called by the Educational Board of Examiners to read the papers submitted by candidates for uniform county certificates.

<sup>64</sup> *Laws of Iowa*, 1919, Chs. 56, 187, 201, 293, 303, 311, 340, 351, 364.

The success of the county superintendent's office during the past fifteen years seems to indicate that this office does have a real part and place in the educational system of Iowa, and that with judicious amendments and additions to the present law, the county superintendent may become the officer hoped for by those who worked out the school system in 1858.<sup>65</sup>

#### SUMMARY

*Qualifications.*—In creating the office of county superintendent in 1858 the legislature seems to have had no thought that this office would require a person with special training and qualifications differing from those of other county or district officers; and down to the adoption of the *Code of 1873* no additional requirements or limitations were placed upon candidates. The *Code of 1873* provided that the county superintendent could not be a member of the board of directors or of the county board of supervisors. In 1876 the General Assembly expressly made women eligible, but in no way changed the qualifications of the office. Until the codification of the laws in 1897, a county superintendent was not required to hold a teacher's certificate.

The *Code of 1897* provided that the county superintendent might be of either sex, and must hold a first class certificate, a State certificate, or a life diploma. The plan of certification in Iowa changed within the next few years so that the *Supplement of 1902* provides that the county superintendent must be the holder of a two year certificate, a State certificate, or a life diploma. The act of 1906 further increased the necessary qualifications by requiring a first grade (three year) certificate, a State certificate, or a

<sup>65</sup> *Laws of Iowa*, 1921, Chs. 74, 112, 175, 209.

life diploma. In 1913 the question of qualifications again arose, and at present the superintendent must hold a regular five year State certificate and have had five years of experience in teaching or superintending, provided that any county superintendent holding office then was to be considered eligible for reelection.

This bill to increase the qualifications of the county superintendent was introduced into the House of Representatives by J. E. Bruce. It proposed to require a regular five year State certificate, at least two years training above the high school, and five years experience in teaching. The Committee on Schools and Textbooks reported an amendment inserting the words "Normal or College" before the word training, and the words "or superintending" after teaching, and recommended that the bill so amended be passed. When the bill was considered T. A. Kingland, of Winnebago County, offered a substitute amendment, which was adopted, and the bill passed in its final form. Walter P. Jensen explained his vote for the amendment in part as follows: "I believe that in 99 cases out of 100 the person who holds a five year state certificate has also had at least two years' work of normal or college training above the high school, and if the 100th person has succeeded through his own efforts in qualifying himself for a state certificate and has demonstrated his ability by doing so, I am willing that he too should be eligible to the office of county superintendent. I therefore vote aye on the amendment."

The truth of this comment is seen in the data recently compiled. Of those serving as county superintendents in 1922 more than two-thirds have attended normal schools and colleges for two years or longer. Of this number, fourteen hold two and three year degrees and diplomas,

forty-one have bachelor's degrees, while seven hold the graduate degree of M. A. or M. S. Several have studied law, one at least holding a law degree. Several others have done special work in art.

Of the county superintendents reporting in connection with this study, practically all had far exceeded the minimum requirement in experience. Three had had only the required five years, the others ranging from six to twenty years in public school work. Several report experience as teachers in normal schools and colleges, one man having been a normal school president for several years. A very few of those serving in 1922 had had experience in supervising or teaching special subjects alone.

As regards the grade of certificate held, reports indicate less than ten per cent hold certificates other than first or second grade State certificates.

These figures indicate that the qualifications of the county superintendents are becoming higher.<sup>66</sup>

*Election.*—County superintendents were elected by the qualified voters from the time the office was created in 1858 until 1915 when the recent law went into effect. The arguments for and against popular election are too numerous and too well known to need discussion here. The new plan of having the county superintendents chosen by a meeting of the representatives of the school corporations is not without its faults, yet it has many advantages. One of the first of these is the fact that the person chosen does not have to be a resident of the county. The convention may look over the State and select the best qualified individual it can find. In at least one instance a superintendent has resigned his office in one county to accept a position in an-

<sup>66</sup> *Journal of the House of Representatives*, 1913, pp. 218, 364, 726, 727; *Laws of Iowa*, 1913, Ch. 107; data from questionnaires sent out in November, 1922.

other county.<sup>67</sup> Until the Thirty-ninth General Assembly limited the salary a convention was able to offer adequate compensation to competent persons.

The presidents of the school corporations are better informed on educational needs, and can secure more data on the applicants than the electors at a general election. The convention is likely to be more interested in the schools than is a county board of supervisors. It is true that some candidates secure votes on pleas of sympathy or through other unprofessional means, and that a "machine" may rule the convention, but these same objections may be raised against selection at a general election. Another valid reason for favoring the present form of selection is that so many people feel that the office of county superintendent is unimportant. Such lack of interest allows unfit candidates to slip into office almost unobserved.

Data secured in November, 1922, indicates that not only does the present method of selection give greater opportunity to secure the best candidates, but it gives the rural districts the virtual selection of the county superintendents. Assuming that the presidents of the various school corporations would be the delegates as implied in the law and that conventions were to be held prior to March, 1923, the farmers' vote would be three times the combined vote of business and professional men or women. Reports from ninety-two counties show 1829 farmers, 446 business men, 120 professional men, and 4 women as the probable members of such conventions.

Another interesting fact may be gleaned from the same

<sup>67</sup> H. C. Moeller, the county superintendent of Black Hawk County, holds the distinction of being the first county superintendent chosen under the new law. He was elected at a special convention in Buena Vista County, to serve an unexpired term in 1913, and was reelected at the regular convention in 1915, but declined, in order to accept election in Black Hawk County.



reports. In the ninety-two counties reporting, the average election cost to the successful candidates averaged less than six dollars while forty-five report that they spent no money. The expenses of the counties for advertising and mileage averaged less than thirty dollars a county and in a few counties no claims were filed. These costs compared with the cost of primary and general elections show conclusively that the present system is in the interests of economy as well as efficiency.<sup>68</sup>

*Bonds.* — The early county superintendents were not required to furnish bonds. But the *Code of 1873* included this officer in the list of those officials who should give bonds. The board of supervisors fixes the amount of the superintendent's bond which can not exceed five thousand dollars. The usual bond required is one thousand dollars.<sup>69</sup>

*Tenure of Office.* — One of the most important factors in determining the success of an administrative official is tenure of office. The old plan of choosing county superintendents biennially at the general election made the tenure both uncertain and short. A candidate was successful or defeated, depending largely upon the strength of his party. Politicians are fond of declaring "two terms, and out"; but the reports of the Department of Public Instruction indicate that under the old law many county superintendents left office at the close of their first term. Frequent changes gave energetic county superintendents no oppor-

<sup>68</sup> In November, 1922, questionnaires were mailed to each county superintendent of schools in Iowa. To those failing to respond second and third requests were mailed, but at the time of going to press replies are lacking from seven counties — Boone, Clayton, Delaware, Dickinson, Hardin, Marion, and Van Buren. Chas. F. Pye, Secretary of the Iowa State Teachers' Association, finds similar results. — *Midland Schools*, Vol. XXXVII, No. 5, January, 1923, pp. 141, 142.

<sup>69</sup> *Code of 1873*, Sec. 678; *Code of 1897*, Sec. 1185; *Compiled Code of 1919*, Sec. 619.

tunity to carry out their plans. No successful business concern would attempt to change managers every two or four years.

The present plan of electing by a convention for a three year term is a step toward efficiency. It has removed the office from the party scramble at the general election, and gives the county superintendent one year longer to carry out his policies.

The law is too recent to show clearly what its effect upon tenure will be, but the 1920 and 1922 reports indicate that there is a stronger tendency toward reelection, although a majority have served less than two terms. There is, however, a growing number of those serving many terms. Clarence Messer has served in Humboldt County since 1899; E. C. Linn in Lee County since 1904; and Estelle Coon in Poweshiek County and W. L. Peck in Allamakee County since 1906. Several others have served four and five terms.<sup>70</sup>

*Salary.* — From the first the county superintendent has been hindered by the meager stipend paid for his services. The act creating the office limited the compensation to not more than one-eighth more than the clerk of the district court received and not less than fifty dollars. Later the Board of Education specified that the salary was not to exceed that of the clerk of the district court. In 1859 the salary was fixed at two dollars per day — the total not to exceed one-half the pay of the clerk of the district court. In 1861 the Board provided two dollars a day and necessary mileage — the total in any year not to exceed three dollars per school. The legislature of 1862 set the salary at two dol-

<sup>70</sup> *Laws of Iowa*, 1913, Ch. 107; *Biennial Report of the Superintendent of Public Instruction*, 1918-1920, pp. 239, 240, 241; data from questionnaires sent out in November, 1922.

lars per day — the whole compensation not to exceed fifty dollars per year in counties having less than twenty-five districts, and not to exceed two dollars per district in all other counties.

The Tenth General Assembly made the salary two dollars a day, except for visiting schools, compensation for which was to be fixed by the county boards of supervisors.

A forward step was taken by the General Assembly of 1866 when it fixed the salary at three dollars per day, providing the county superintendent visited each school once each term and spent at least one-half day in each visit. The county board of supervisors had the option of granting additional compensation. In the *Code of 1873* provision was made for three dollars a day, stationery, postage, and such additional compensation as the board of supervisors might allow. The compensation was increased to four dollars per day in 1882; and the *Code of 1897* provided for the same per diem together with stationery, postage, and expenses to meetings called by the State Superintendent.

The Twenty-ninth General Assembly placed the compensation on a fixed salary basis for the first time in the history of the office, establishing the salary of \$1250 per year, with postage and expenses for called meetings. In 1906 this was increased by payment of expenses incurred in visiting schools, not to exceed twenty dollars a month. No further change was made until 1913 when the law provided the county superintendent should receive all necessary office stationery and postage and expenses incurred in attending called meetings, not to exceed \$250 a year for expenses incurred within his own county. His salary was fixed at \$1500 a year, and in addition such sum as the representatives of the school corporations might allow. The board of supervisors might increase this sum but

could not decrease it. In 1919 a new graded salary schedule was enacted, all increases to take effect on June 30, 1921, with the provision that no superintendent should be reduced in salary during his present term. The expense allowance for activities within the county was increased to \$400 a year.

The Thirty-ninth General Assembly amended the salary law making the minimum salary \$1800, and the maximum \$3000 with the necessary expenses as before provided. The excess over the minimum is granted now by the county board of supervisors and not the school corporation representatives. This law went into effect on April 5, 1921.

During the biennial period, 1919-1920, one superintendent received \$1600, one \$3000, and forty-five between \$1700 and \$1800. The median salary was \$1750 for twelve months.<sup>71</sup>

*Removal from Office.*—The acts relative to the establishment of the office of county superintendent of schools and those concerning its later status contain nothing concerning removal from office. Neither has any county superintendent been removed. Therefore there are no judicial decisions upon which an opinion may be based. There is a feeling in some quarters that the Code provisions for removal of county officers apply. Others feel that the county superintendent does not come under the list of elective officers because of the manner of his selection.

Many students of the problem doubt also if the lapse or revocation of a county superintendent's certificate would

<sup>71</sup> *Laws of Iowa*, 1858, Ch. 52, 1862, Ch. 172, 1864, Ch. 102, 1866, Ch. 143, 1902, Ch. 124, 1906, Ch. 122, 1913, Ch. 107, 1919, Chs. 293, 303; *Acts, Resolutions and Forms adopted by the State Board of Education* (First Session), 1858, Act No. 8; *Educational Laws of the State of Iowa*, 1860, Pt. VIII, pp. 7-23; *The Iowa Instructor*, Vol. III, pp. 146-148; *Code of 1873*, Sec. 1776; *Code of 1897*, Sec. 2742; *Biennial Report of the Superintendent of Public Instruction*, 1918-1920, pp. 31, 32.

remove him from office; although, without a doubt, such a condition would prevent reelection. Luckily, there is little likelihood of any method of removal being used.<sup>72</sup>

*Deputy County Superintendent.*—During the first five years of the office the county superintendent was allowed assistance only at the time of holding examinations. The Ninth General Assembly provided for the appointment of a deputy when for any cause the county superintendent was unable to attend to his duties. This deputy could perform any duty devolving upon the county superintendent except that of visiting schools and trying appeals. Until 1913 this provision remained unchanged, the county superintendent being supposed to appoint a deputy only when he was unable to attend to the duties of his office. No provision was made for the compensation of such deputies. The board of supervisors have, since 1862, been allowed to grant the county superintendent such additional compensation as it deemed proper, and there is evidence that in some counties deputies have been maintained for many years.

By the legislation of 1913 the county superintendent "may appoint a deputy, for whose acts he shall be responsible" — a provision of law which was amended in 1919 to require the written permission or approval of the board of supervisors. The salary is now to be fixed by the board of supervisors at not less than \$750 a year. The reports of the State Department of Public Instruction for 1918-1920 indicate that in eleven counties the supervisors allow no regular deputy. The highest salary paid in 1920 was \$1320 and the lowest \$720 — thirty dollars less than the legal minimum. Deputies may be required to give bond, but this does not release the county superintendent from

<sup>72</sup> *Compiled Code of 1919*, Secs. 133, 642, 651, 2479.

responsibility and liability for the wrongful acts of the deputy.

The law should be so amended as to require a deputy in each county, who should be qualified and allowed to visit schools, so that this important duty might be carried on throughout the year.<sup>73</sup>

*Visiting Schools.*—Before the creation of the office of county superintendent of schools the inspectors and committees from the boards of directors were expected to visit and inspect the various schools of their own districts. By the creative act this duty was given to the county superintendent. He was expected to visit each school at least twice each year, and was given authority to appoint a committee to visit in his stead.<sup>74</sup> The Board of Education in 1861 provided that the county superintendent should personally visit each school, and should deliver a lecture in each township; but the legislation of 1862 failed to mention such a duty, or to provide compensation for the work. Accordingly the superintendent was not required to visit schools. By the legislation of 1864 he was required to visit each school once each year.<sup>75</sup>

The Eleventh General Assembly required the county superintendent to visit the schools once each term, spending half a day in each. No further mention of this duty is made until there appeared in the *Code of 1873* the provision that the county superintendent might appoint a deputy for all duties, except that of visiting schools and

<sup>73</sup> *Laws of Iowa*, 1862, Ch. 172, 1913, Ch. 107, 1919, Ch. 311; *Code of 1897*, Secs. 2734, 2735; *Biennial Report of the Superintendent of Public Instruction*; 1918-1920, pp. 239-241.

<sup>74</sup> For definite provisions of the requirements see notes 1, 2, 3, 4, 5, 6, 8, 9, 16, 28.

<sup>75</sup> *The Iowa Instructor*, Vol. III, pp. 146-148; *Laws of Iowa*, 1862, Ch. 172, 1864, Ch. 102.

trying appeals. At the same time this Code made no mention of such visits as among the duties of the superintendent. In 1882 the General Assembly made visiting schools discretionary, unless a majority of the board members of a school requested it. For what visits he made he was to receive the new compensation of four dollars per day.<sup>76</sup>

This plan was retained until 1902 when the provision for compensation was omitted. The act of 1906 again included this duty, the superintendent being required to spend at least one-fourth of a day in each school once a year, and oftener if requested to do so by a majority of the board. In this one quarter of a day he was "to give personal instruction to the children". Expenses for such visits were limited to twenty dollars a month, which in many counties would amount to less than seventy-five cents a day. Compensation for such work was included in his salary. Under the laws of 1913 the total yearly expense was not to exceed \$250, but in 1919 this amount was increased to \$400 per year, the superintendent being required to visit each school at least once a year — a requirement almost impossible of fulfillment.<sup>77</sup>

*Certification of Teachers.* — Certification of teachers was without a doubt one of the most important questions connected with the office of county superintendent down to 1906 when the authority was given to the Educational Board of Examiners. The creative act specified examinations in the "Three R's", orthography, English grammar, and "such other branches as may in special cases be required". The county superintendent was to announce the place of holding examinations. By the Board of Educa-

<sup>76</sup> *Laws of Iowa*, 1882, Ch. 161.

<sup>77</sup> *Laws of Iowa*, 1902, Ch. 124, 1906, Ch. 122, 1913, Ch. 107, 1919, Ch. 303.

tion's reenactment the time and place were fixed as the last Saturday of each month at the county seat. The final session of the Board cut down the number of regular examinations to two — on the second Tuesday of April and September — provided one of said examinations should be at the time of the county institute. No examinations were held under these provisions, since the next General Assembly in repealing the Board's act changed the date back to the last Saturday of each month, and required, in addition to the examinations, good character and ability. These examinations were to be public.<sup>78</sup>

In 1866 United States history was added to the list of subjects, but no further changes were made until 1878 when the county superintendent was permitted to examine teachers of music, drawing, penmanship, bookkeeping, German or other languages, and to issue a certificate for one or more of these special branches. By the *Code of 1897* two grades of certificates were provided, where before each county superintendent had used his own plan of certification. Some issued one, some two, and some three or four kinds of certificates. The State Superintendent had, in 1877, limited the age to nineteen for men and seventeen for women, and so it remained until 1906 when the age of eighteen was established for both.<sup>79</sup>

At first examinations were either written or oral —

<sup>78</sup> *Laws of Iowa*, 1858, Ch. 52, 1862, Ch. 172; *Acts, Resolutions and Forms adopted by the State Board of Education* (First Session), 1858, Act No. 8; *Acts of State Board of Education*, 1859, Pt. 8; act of State Board of Education, 1861, published in the *Iowa Instructor*, Vol. III, pp. 146-148.

<sup>79</sup> *Laws of Iowa*, 1866, Ch. 143; *Code of 1897*, Sec. 2737; *Biennial Report of the Superintendent of Public Instruction*, 1876-1877, p. 51; *Regulations of Educational Board of Examiners*.

The various acts, laws, and official documents refer to this board as the "Educational Board of Examiners" and the "Board of Educational Examiners" interchangeably and synonymously, and the writer has so used the terms in reference to this board.



sometimes both. After the State Board of Educational Examiners was established on a working basis, their written examinations practically compelled county superintendents to adopt the same plan. Much of the grief during the period before 1906 was due, however, not to the county superintendent, but to the people of some communities who would even go so far as to petition the county superintendent to grant a certificate to some person utterly incapable of passing the examinations, and if a certificate was refused the person in question kept school anyway, the law providing no penalty for the payment of salaries to such persons. This condition led to the lax methods of examination and certification discussed elsewhere, and the resulting agitation brought about the present system.<sup>80</sup>

*Teachers' Institutes.* — The first teachers' institute was held in Dubuque in 1849 with Superintendent Benton in attendance. As a result of the success of this institute, perhaps, Mr. Benton recommended that teachers' institutes be made a regular part of the school system and that a State appropriation be made for their maintenance. In 1856 an institute was held at Tipton. The organization here included a president, vice president, secretary, assistant secretaries, and a treasurer — a form which persisted several years. The success of these institutes led State Superintendent M. L. Fisher to recommend to the General Assembly in 1858 that liberal provision be made for their support.

Legislation in 1858 made practically the same provisions for institutes as had been recommended in the report of the Mann Commission. Annual institutes were to be held for six working days, and \$100 was allowed by the State

<sup>80</sup> *Biennial Report of the Superintendent of Public Instruction, 1876-1877*, p. 5; *Ammer's History of Education in Iowa*, Vol. I, p. 304.

to those approved by the Superintendent of Public Instruction — \$1000 having been appropriated for such purposes. Mr. Benton allowed but \$50 to each institute. At the date of his biennial report he had paid this sum to fifteen institutes, and he reports that there were applications on file for the remainder. Thus, it may be assumed that twenty counties received State aid during the year 1859. In 1860 the legislature cut the appropriation to \$50 for each institute. Thirty-four institutes were held that year, and thirty-five in 1861. From that time on the increase in the number of institutes held and in the attendance was rapid.<sup>81</sup>

About 1871 or 1872 some counties began to hold normal institutes as well as teachers' institutes, the normal institutes being in session from two to four weeks. In 1874 a normal institute was required in every county, to be held at such time as the schools of the county were generally closed. The teachers attending were charged an institute fee of one dollar, which with the State aid of fifty dollars constituted the institute fund. These institutes continued to grow in attendance and results were gratifying until about 1903 when the effect of summer schools held at colleges and universities began to be felt. The summer schools, giving credit toward graduation, made great inroads upon the number of teachers attending the county institutes. It was soon apparent that Iowa had outgrown the institute for which the teachers paid a fee. This fee had long been an objectionable feature — Jonathan Piper having pointed to the fact that the State paid the militia to learn how to shoot, but taxed teachers to learn to teach.<sup>82</sup>

<sup>81</sup> Aurner's *History of Education in Iowa*, Vol. II, pp. 151-186; *Report of the Secretary of the Board of Education*, 1859, pp. 18, 19.

<sup>82</sup> *Laws of Iowa*, 1874 (Public), Ch. 57. Practically each report of the Superintendent of Public Instruction contains a lengthy discussion of institutes. — Aurner's *History of Education in Iowa*, Vol. II, p. 185.

In 1912 the Better Schools Commission proposed to abolish the institute and to substitute in its stead "short, inspirational" institutes to be held during the school year, with compulsory attendance and no loss of pay. The law enacted in 1913 follows this recommendation, permitting not more than two such institutes each year and requiring one. These institutes are in session two days, and teachers must attend or forfeit the "average daily salary" during the time they were absent — a plan that has been followed since July 1, 1914. The favorite time of the year seems to be October or February, although in counties containing large cities the first week in September appears to be preferred.

The institute fund now consists of the \$50 of State aid, one-half of all the examination fees collected in the county, and \$150 appropriated by the board of supervisors in counties having thirty thousand population or less, or \$200 in counties having over thirty thousand — ten in number. This fund may be used only for institute purposes.

All city independent districts having less than twenty-five teachers in the schools must close for the time of the institute and the teachers must attend. In districts having twenty-five or more teachers the county superintendent shall coöperate with the city superintendent to secure the lectures and work most fitted to the city teachers. In some counties the city schools close, in others they have their own series of lectures. In Polk County, as well as several other counties, the two are held together during the first week in September.

The county superintendent issues to each teacher a certificate showing the days attended, without which certificate the teacher can not collect that portion of her salary.<sup>83</sup>

<sup>83</sup> *Report of the Better Iowa Schools Commission, 1912*, pp. 53, 64; *Laws of Iowa, 1913*, Ch. 225.

*Consolidated Schools.* — Some of the most recent and yet most important powers and duties of the county superintendent of schools are those connected with consolidation of schools. This movement began in Iowa within the past twenty years, but one central school being organized prior to that time. The growth has been especially rapid during the past five years. In the 1920 report of the Superintendent of Public Instruction it appears that the number of consolidated schools increased from 238 in 1918 to 430 in 1920. At the time of that report but five counties — Lyon, Winneshiek, Howard, Chickasaw, and Monroe — had no consolidation. This means that practically every county superintendent has had one or more consolidated school problems during his term.

The laws governing the organization and dissolution of consolidated school districts have given to the county superintendent large discretionary powers as well as many specific duties, among which are the hearing of objections and appeals. The decline in prices of farm products and the increased taxation of farm property have made petitions for consolidation almost certain forerunners of appeals. Such appeals, together with the other duties in connection with consolidation, occupy the attention of the county superintendent for at least three months — about the minimum time necessary to complete an organization as may be shown by the hypothetical schedule appearing at the close of this chapter.

As a result of this situation the Thirty-ninth General Assembly practically rewrote the law. The new statute contains forty-two sections, several of which are new. It sets forth each detail of procedure for the organization and the dissolution of consolidated independent districts, providing that all districts in process of organization at

the time the act went into effect were to complete their organization under the prior law and that the act in no way affected pending litigation.

Consolidated independent school corporations may be formed for the purpose of maintaining a central school, and the existing corporations dissolved in the manner provided by this act. There must be an area of not less than sixteen government sections of contiguous territory in one or more counties. A petition describing the boundaries of the proposed district and asking for the establishment of a school corporation when signed by one-third of the voters residing within the proposed district may be filed with the county superintendent of the county in which the greatest number of qualified voters reside. Such petition must be accompanied by an affidavit showing the number of qualified electors living within the territory described and signed by a qualified elector residing within said territory, and if the territory described is situated in different counties the number of qualified electors in each county shall be given separately. This affidavit shall be taken as true unless objections are filed on or before the time fixed for filing objections.

Within ten days after the petition is filed the county superintendent shall fix a final date for filing objections in his office, and give public notice for at least ten days by one publication in a newspaper published within the territory described in the petition; or if there be none published therein, in the nearest town or city in any county in which any part of the territory described is situated. Objections must be in writing in the form of affidavits and may be made by any person residing or owning land within the territory described, or who would be injuriously affected by the organization of the new corporation. This, in fact,

gives any one who may feel that the new corporation will be injurious the right to file an objection. These objections must be on file not later than twelve o'clock noon of the final day fixed for filing objections.

On this date interested parties may present evidence and arguments. The county superintendent reviews the matter on its merits, and within five days after the conclusion of any hearing rules on the objection and either enters an order fixing such boundaries for a proposed school corporation as will in his judgment be for the best interests of all persons concerned, having due regard for the welfare of adjoining districts, or he dismisses the petition. The county superintendent is required to publish this order immediately in the same newspaper in which the original notice was published.

Within ten days after the publication of such order, any petitioner, objector, or any other person living or owning land within the territory described in the petition may ask for a hearing before the county board of education by serving notice on the county superintendent. Within five days after a hearing has been asked, the county superintendent shall file with the county board of education all the original papers together with his decision, and fix a time and place for hearing and give notice to each applicant by registered letter. If more than one person has signed the application for a hearing before the county board, notice to the first three signers shall be considered notice to all. The time fixed for such hearing shall be not less than five nor more than ten days after the time for asking for said hearing has expired.

If the territory described in the petition for the proposed district is wholly in one county, the county board of that county shall hear said objections at the time and place

fixed by the county superintendent, and within five days after the submission thereof shall either determine and fix such boundaries for the proposed school corporation as, in his judgment, will be for the best interests of all concerned, without regard to existing district lines, or dismiss the petition, which shall be final. If the territory described in the petition lies in more than one county, the county superintendent with whom the petition is filed shall fix the time and place and call a joint meeting of all the county boards of education to act as a single board for hearing such objections. A majority of the members of all said boards shall constitute a quorum and it shall proceed as in section eight. But no member of a county board of education who lives or owns land within the proposed district or who lives or owns land within a school corporation, a part of which is included in the proposed district, shall take any part in determining any matter coming before such county board or joint board.

In case the county superintendent's proposed boundaries are not objected to or the county board of education or the joint board fixes such boundaries of the proposed school corporation, the county superintendent with whom the petition is filed shall call a special election in such proposed school corporation within thirty days from the date of the final determination of such boundaries by giving notice by one publication in the newspaper in which previous notices have been published, which publication shall be not less than five days nor more than ten days prior to the election.

No notice for election can be published until the time for appeal has expired, and in the event of an appeal, not until the same has been disposed of. The county superintendent shall appoint the judges for said election, and such judges shall be qualified electors of the territory whose boundaries have been determined by the county superintendent, the

county board, or joint board. The judges of election shall count the ballots, make return to the county superintendent, and deposit the ballots with him. The returns shall then be on record in his office. If a majority of the votes cast by the qualified electors are in favor of the proposition, a new school corporation shall be organized, except that in cases where separate ballot boxes are required by law, a majority of the votes cast by the qualified electors from their respective territories shall be required.

If the proposition carries, a special meeting shall be called by the county superintendent, by giving notice by one publication in the same newspaper in which the former notices were published and he shall appoint the judges. The judges shall make return to the county superintendent who shall enter the return on record in his office, notify the persons who are elected directors, and set the date for the organization of the school board. The county superintendent shall then certify to the board of supervisors all expenses incurred by him and the county board of education in connection with the proceedings in organizing the district, including the election of the first board of directors, and this the board of supervisors shall audit and, if approved, order the same to be paid from the general fund of the county.

The next duty of the county superintendent is to reorganize the territory left after the new corporation has been formed. Where one or more parts of the territory of a school township is left outstanding each part shall constitute a rural independent district, unless two or more contiguous subdistricts are left, in which event each shall constitute a school township. The county superintendent of the county in which the territory is situated calls an election by giving proper notice in each remaining piece of territory for the purpose of electing officers as the law pro-



vides for rural independent or school townships as the case may be.

The organization of all new boards under this act is to be completed on or before the first day of June following the election. Ten of the sections providing for the method of dissolution of consolidated school corporations are new. The method is practically the same as for organization. The petition describing the boundaries of the district — which shall not be less than four government sections — and signed by a majority of the voters residing within the corporation is filed with the superintendent of the county in which the greater number of qualified electors reside. The affidavits, notices of final date, filing of objection, and hearing are the same as for organization, except that those signing petitions must be qualified voters of the corporation, and those signing objections must be residents or landowners of the district.<sup>54</sup>

The following schedule shows the steps in procedure and the dates of the same, making allowance for one day's hearing only in case of appeal. County newspapers are usually published on Thursday of each week.

*Monday, June 12.* — Petition filed with the county superintendent.

*June 12 to June 21.* — County superintendent fixes final date for filing objections to petition.

*June 15 or June 22.* — Notice published in newspaper.

*June 26 to July 3.* — Final date for filing objections.

*June 26.* — Objections filed up to 12 o'clock noon. Hearing all afternoon.

<sup>54</sup> *Biennial Report of the Superintendent of Public Instruction, 1918-1920*, pp. 15-50; *Laws of Iowa, 1921*, Ch. 175.

*June 26 to July 1.* — County superintendent rules on the objections, boundaries approved.

*July 7.* — Order fixing boundaries published.

*July 7 to July 16.* — Appeal and request for hearing before county board of education filed with the county superintendent.

*July 7 to July 12, and up to July 21.* — County superintendent files original papers and his decision and fixes time and place. Gives notice by registered letter.

*July 12 to July 26.* — Date fixed for hearing.

*July 17.* — Hearing before county board of education.

*July 17 to July 22.* — County board determines the boundaries.

*July 18.* — County superintendent calls special election, fixing date for August 18.

*August 10.* — Notice of such election published.

*August 18.* — Election. Carried.

*August 19.* — Return of order filed and recorded.

*August 25.* — Notice for meeting for election of directors published.

*Monday, September 5.* — Special meeting of electors.

*September 6.* — Returns made to county superintendent. County superintendent notifies those elected.

*September 12.* — Board organized.

*Appeals.* — Probably the most unpleasant duty of a county superintendent is that of hearing appeals by “any person aggrieved by a decision or order of the board of

directors of any school corporation in a matter of law or fact." Formerly this included appeals in cases growing out of the organization or dissolution of consolidated school districts, but these cases may now come before the county board of education as may other questions.

The county superintendent has power to issue subpoenas for witnesses, and compel their attendance and testimony as the district court may. Expenses are assessed by the county superintendent upon the corporation from which the case is brought unless he feels that there was no ground for the appeal, in which case costs are assessed against the appellant to be collected as are district court costs.

An appeal may be taken from the decision of the county superintendent to the State Superintendent of Public Instruction in the same manner and under the same restrictions as appeals to the county superintendent.

However, neither the county superintendent nor the State Superintendent have jurisdiction to hear cases involving a money consideration nor to render a judgment for money. This restriction practically nullifies most of the judgments rendered; and the courts, while refusing to entertain cases before they have been heard by the county superintendent, as a rule assume jurisdiction and try the cases.

Another disadvantage of this jurisdiction in appeals lies in the fact that it often places the county superintendent in the unfortunate position of entertaining an appeal from a decision of a board of directors which is the direct result of advice given by the county superintendent.

The present county board of education has proved itself very helpful in hearing these appeals and, by their advice and counsel, in preventing them.<sup>85</sup>

<sup>85</sup> *Compiled Code of 1919*, Secs. 2478, 2524, 2590, 2591, 2592, 2593; *Laws of Iowa*, 1921, Ch. 175.

*The County Board of Education.*—For many years students of the rural school problem have felt that the county rather than the township should be the unit of school administration and that the county superintendents should be chosen by the county board of education. Iowa, in common with other western States clung to the general election plan until 1913 when the convention of school corporation representatives was created to select the county superintendent. Advocates of a county board of education still hoped for such a body in Iowa and continued to agitate the proposition. Such agitation resulted in a law enacted in 1919 providing for the election of a county board by the same convention which selects the county superintendent. This bill was drawn by Senator Byron W. Newberry and while it did not go as far as the friends of the bill or as its author would have liked, all thought that it was a step in the right direction and might ultimately lead to the desired goal—a county unit—and that this board would succeed the more clumsy convention of school corporation representatives.

The present county board of education has but two real duties or functions, the selection of textbooks in counties having county uniformity, and the hearing of appeals in consolidated school cases. In addition to these specific duties—which arise but occasionally—their function is purely advisory.

In spite of these limitations a large majority of county superintendents find their boards very helpful, in fact out of ninety-two counties replying to a recent inquiry, but ten state that the board is useless, and these report the need for a board with real powers, duties, and responsibilities.

There is no doubt that the present county boards of education, composed of men and women interested in the schools and willing to do what they can is much more

efficient in selecting textbooks than the board of supervisors could have been. Neither can there be any doubt that the plan secures careful and intelligent hearing of appeals and sympathetic coöperation in planning the work for a county. Yet the opportunities of this board are so limited and its powers so restricted that many county superintendents hesitate to call upon it unless required by law to do so.

There is a real need and a real place for a permanent county board with definite powers and responsibilities.<sup>86</sup>

*County Uniformity of Textbooks.*—The Twenty-third General Assembly enacted a law making possible county uniformity in textbooks. According to this law, when a petition, signed by one-half of the school directors of a county, was filed with the county superintendent of schools asking that a uniform series of texts be adopted, the county superintendent as soon as possible notified in writing the county auditor and the members of the county board of supervisors. These men, constituting the county board of education, met within fifteen days to provide for the submission of the question to the electors of the county at the next annual meeting in March. If the proposition carried, the board of education proceeded to select a list of textbooks, which when adopted was to be used for five years in all the schools of the county, except in independent town or city districts.

Before making contracts for textbooks, the board of education was required to advertise for bids by publishing a notice in one or more newspapers. This notice was to contain a list of classes and grades of texts wanted, and the

<sup>86</sup> Information received from letters from school officials in thirty-one States and from data in questionnaires sent out in November, 1922; *Laws of Iowa*, 1919, Ch. 56, 1921, Ch. 175; letter written to Benj. F. Shambaugh, by Senator Byron W. Newberry, the author of the bill.

time up to which bids would be accepted. Publishers and agents were required to submit samples of all textbooks included in their bids, accompanied by a list of the lowest wholesale prices. These sample copies and the price lists were to remain in the office of the county auditor, accessible to the inspection of any one who desired to see them, and be transmitted to his successor in office. The county board was empowered to purchase and sell at the contract price, and to appoint agents to handle the books. Such agents or depositories gave bond to protect the county against loss. In choosing the list of textbooks the county board of education was to consult the county superintendent of schools, and be guided by his opinion. The Twenty-fifth General Assembly made the board rather than the presidents of the district boards responsible for the books, while the Twenty-eighth General Assembly provided that the county superintendent should have charge of the books and their distribution. The Twenty-eighth General Assembly also made it necessary for but one-third instead of one-half the school directors to sign the petition for submission of the question, and the Thirty-eighth General Assembly created the present county board of education upon whom the duties of the old board now fall.<sup>87</sup>

Of the ninety-nine counties in Iowa, fifty-eight have county uniformity under the provisions of these laws. Five others — Crawford, Osceola, Montgomery, Story, and Wapello — have uniformity secured by the following plan. The county superintendent secured the consent of all district boards to allow the recommendation of a list of textbooks. The county superintendent then advertised the required length of time, and received samples and bids. When the list had been selected each district entered into separ-

<sup>87</sup> *Laws of Iowa*, 1890, Ch. 24, 1894, Ch. 35, 1900, Chs. 111, 112, 1919, Ch. 56.

ate contracts with the successful bidders. In these counties competition has remained open to all publishers.

Several of the remaining thirty-six counties have virtual uniformity through agreement and have signed contracts without the required notice and taking of bids — there being no real opportunity for open competition. In many of the so-called "open counties" the list of texts is selected by the county board of education while in others the county superintendent chooses the books.<sup>88</sup>

The textbook question has been one of the bugbears of the office. Many a county superintendent has lost his influence through unfortunate circumstances connected with textbook adoptions. Others have seen the county board override their recommendations, filling the schools with out-of-date books. In the counties not having county uniformity, unless the county superintendent is very aggressive the teachers find it hard to get pupils supplied with the same kind of books, to say nothing of up-to-date texts. The law should be changed to give the county superintendent the power to select the list and to make county uniformity mandatory in each county.

*Extra-legal Activities.* — In addition to the regular functions and duties the county superintendents in Iowa are instrumental in organizing and carrying on numerous and varied activities. In *A Survey and Report of the County Superintendent and the Consolidated Schools* presented at the consolidated school conference held at the Iowa State Teachers College, on December 7 and 8, 1922, County Superintendent H. C. Moeller of Black Hawk County indicated that there are forty-seven different activities being sponsored by county superintendents in Iowa at this time.

<sup>88</sup> Information received through personal conversation and correspondence with agents having contracts in "open counties", and from questionnaires sent to county superintendents in November, 1922.

It is obviously impossible to list each of these but among the most popular are health crusades, community meetings, athletic contests, spelling and declamatory contests, parent-teacher associations, Smith-Hughes work, and rural graduation days. Some of the more recent are citizenship classes for aliens, superintendents' clubs, organized work in tests and measures, acting as purchasing agent for rural and consolidated schools, standard schools, and State scholarships.

In addition to these activities, almost every county superintendent is making use of the Extension Division of the Iowa State Teachers College in securing study centers, credit extension classes, and the services of experts in making school surveys, organizing play days, and parent-teacher associations.

Several other county superintendents are using the services of the Extension Division of the State University of Iowa in connection with tests and measures and school surveys and this work is becoming more popular each year. In 1921, Professor Earle L. Waterman of the Extension Division of the State University made a sanitary survey of rural school houses in Louisa County. Many more county superintendents would avail themselves of this sanitary service were it not for the almost insurmountable technicalities of the laws and rules governing public health work in Iowa.

County superintendents are assisting the county agents and demonstrators in club work of various kinds under the auspices of the Extension Division of the State College at Ames.

There is no doubt that these extra-legal activities are among the most important services of the county superintendents and it is perhaps not unreasonable to prophesy that the time will come when many of them will be required



by law and the county superintendent be furnished sufficient assistance to carry on the new duties.<sup>89</sup>

*Conventions of County Superintendents.* — The first convention of county superintendents in Iowa was held at Iowa City in September, 1858, less than six months after the office was organized. The Superintendent of Public Instruction and forty-one county superintendents were in attendance. Most of the time was spent in interpretation of the law, and the proceedings indicate that it was a valuable meeting. The Board of Education, however, provided that their Secretary should hold a county superintendents' convention in each judicial district. Two years experience with these district conventions seems to have convinced Thomas H. Benton, Jr., Secretary of the Board of Education, that such meetings were impractical. Some scheme, he felt, must be devised to meet the expenses, for few superintendents could afford to pay their own. Neither did Mr. Benton like to make each county bear the expense because that penalized those farther away. He proposed that the expenses be paid by the State.<sup>90</sup>

The Twelfth General Assembly provided that the conventions were to be held at such points as the State Superintendent might find most convenient. This provision exists to-day. The *Code of 1897* provided that the necessary expenses of county superintendents incurred in attending these called meetings was to be paid by the county. Different superintendents have used various plans of dividing the State. During the past few years, however, they have

<sup>89</sup> *Condensed Report of the Extension Division (Bulletin of the Iowa State Teachers College, 1921-1922, Vol. XXXIII, No. 3, Pt. 2.)*; data received from questionnaires returned by county superintendents; information furnished by the Extension Division of the State University of Iowa.

<sup>90</sup> *The Voice of Iowa*, Vol. III, pp. 51, 52; *Report of the Secretary of the Board of Education, 1861*, pp. 10-13; *Aurner's History of Education in Iowa*, Vol. I, pp. 298, 299.

been held usually in connection with the State Teachers' Association at Des Moines, the Normal Training Conference at Cedar Falls, or at Ames.<sup>91</sup>

During the early years of the office several special conventions of county superintendents outside these called meetings were held. One such met in Cedar Rapids in August, 1866, one in Des Moines in April, 1869, and another in Des Moines in 1870. During the next fifteen years the county superintendents held what have been called lake conventions — State meetings held at Clear Lake, Okoboji, and other lake towns. While some of these meetings did not occur at the same time as those of the Iowa State Teachers' Associations, they were in reality a part of the movement.

In 1883 the new constitution of the Iowa State Teachers' Association was adopted, and for the first time a county superintendent held the office of President of the Iowa State Teachers' Association, L. L. Klinefelter of Cerro Gordo County being thus honored. Seven county superintendents have since been elected to this office.<sup>92</sup>

These sessions of the county superintendents have really been a power for good in the State. Those attending have discussed the problems, suggested reforms, and urged their legislative friends to take definite steps. Indeed, several of the best laws now upon the statute books of Iowa were first proposed at conventions of the county superintendents.

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<sup>91</sup> It was the privilege of the writer to attend the called meeting of county superintendents held in Des Moines, November 1-4, 1922.

<sup>92</sup> *Laws of Iowa*, 1868, Ch. 162; *Code of 1897*, Sec. 2742; *Iowa Normal Monthly*, Vol. III; *Proceedings of Iowa State Teachers' Association*, 1883-1922; *Iowa Instructor and School Journal*, Vol. VIII, pp. 30, 31; *Iowa School Journal*, Vol. X, pp. 263-270, Vol. XI, pp. 216-221; *Aurner's History of Education in Iowa*, Vol. II, pp. 82, 83, 249, 396-398.

## AN UNWORKED FIELD IN MISSISSIPPI VALLEY HISTORY<sup>1</sup>

The Mississippi Valley occupies a place of transcendent importance in the history of the American nation, but until a few years ago its significance was not recognized by historians. Only occasionally did students catch a glimpse into that great imperial domain and the treatment they accorded it in their writings served only to emphasize their provincialism. Then came Parkman, Winsor, McMaster, and Roosevelt who discovered the Mississippi Valley as a field of research and in their writings accorded this region a place of fundamental importance in the history of the nation. The old tradition of studying and writing American history from the eastern, or more strictly New England, point of view was discarded by these writers. The West was henceforth to receive more of its proportionate share in the study of our national development.

It was Frederick J. Turner, however, who sounded the true keynote to the study of our national history. In his paper on *The Significance of the Frontier in American History*, read before the American Historical Association in 1893, Mr. Turner showed that the westward movement is the key to the study of American development; that the great problems of the nation have grown out of the coloni-

<sup>1</sup> This paper was presented at the fifteenth annual meeting of the Mississippi Valley Historical Association held in Iowa City on May 11 and 12, 1922. It is based in part on the writer's paper, *The Economic History of American Agriculture as a Field for Study*, which was published in *The Mississippi Valley Historical Review* for June, 1916. Several portions of this paper have been incorporated in the present study, the purpose of which is to define somewhat in detail the economic history of agriculture in the Mississippi Valley as a field for research.

zation of the West; that the West has had a profound influence on our whole national life; and that to study the West is to study the really American part of our history. Under the direction of this original and critical scholar, a new school in economic interpretation has been founded which is destined to revolutionize the study and writing of American history.

This new school of American historians has opened up many important problems in the history of the Mississippi Valley. Some of these problems have already received considerable attention; others have been given only superficial consideration or else been completely ignored and neglected. Among the latter the economic history of agriculture in the Mississippi Valley may be mentioned as a problem which presents an inviting field for study and research.

This subject includes much more than a mere account of progress in the technique of agriculture. It includes a consideration of all the facts, forces, and conditions which have entered into the development of agriculture from the beginning of the first settlements to the present time. Thus considered, it includes a study of physiographic conditions — topography, soil, climate, rainfall, and drainage systems; Indian economy; the migration of settlers; the occupation of woodland and prairie country; the disposal of the public lands; systems of land tenure and tenancy; and the types of farming developed in each new area reached in the course of westward migration. It includes further a study of the westward movement of crop and live stock areas; the introduction and popularization of labor saving machinery; the development of specialized farming; the transportation of farm products; the growth of markets; and the establishment of agencies for the promotion of scientific knowledge relating to agriculture. And finally, it

includes a study of the relation of agriculture to other industries — flour milling, meat packing, and transportation; the problems engaging the attention of the rural population in the different periods — transportation, markets, currency, banking, and taxation; the relation of the farmer to politics and to legislation; the relation of the State to agriculture; and the influence of agriculture on our whole national life. Thus interpreted, the economic history of agriculture is closely interwoven with other phases of Mississippi Valley history. It is a constituent part of the history of the entire people. To define this subject in this way is, therefore, to direct attention not to a separate or distinct phase of American history but to emphasize a new point of view in the study of our national development.

These considerations show the broad scope of the economic history of agriculture in the Mississippi Valley as a field of research. What then are some of the more specific problems inviting the attention of the historian? The limits of this paper will permit but a brief statement of these problems.

*The History of the Public Lands.* — The first question in the agricultural history of any country or region is the relation of the farmer to the land. Fifty years ago there was little or no occasion for a careful consideration of this question. There was a superabundance of virgin land which could be had for nothing and Congress was not much concerned over the methods of its disposal. The rapid transference of this vast heritage from public to private ownership constitutes an important chapter in American history. It has been involved with other public questions and it has been an important issue in American politics. The land question has now entered upon a new and com-

plex phase. The speculative spirit which has been fostered by a liberal land policy seems to have become an ingrained American characteristic. It has contributed largely to an inflation of land values and to the present high rate of tenancy. In undertaking a study of the land question under both public and private ownership it should be remembered that the rapid disposal of the public lands is closely linked with the rapid growth of population, the change from extensive to intensive farming and the increased cost of living.

*The History of Leading Agricultural Industries.*—Among these studies the grain growing, live stock, and cotton industries may be mentioned as of special interest and significance. Such studies should include a consideration of soil and climate, land tenure and tenancy, labor, the use of improved farm machinery, transportation, markets, and prices. The westward movement of production should be studied in relation to the westward movement of population and the accessibility of markets. The influence of agricultural prices on national politics and finance should receive careful study. The relation of these industries to other related industries such as flour milling, meat packing, and textile manufacturing establishments should also be considered.

Similar studies should be made of the dairy, tobacco, poultry, and fruit growing industries. The history of the range is a subject of unusual interest and importance in the history of the Mississippi Valley. It still remains, however, a "no man's land" of the historian who seems to have been content to leave this subject to the novelist, the essayist, and the poet. This is shown by the fact that when the editors of *The Chronicles of America* planned for a volume on this subject, they were compelled to ask a novel-

ist to prepare it. The time has come for a critical study of the range and its relation to our whole national development. Among the newer agricultural industries, the sugar beet industry may also be mentioned. These studies suggest other agricultural industries which await the labors of the historian.

*The History of Agriculture in the Various States.*—Such studies should include a consideration of economic geography, Indian agriculture, land policies, early settlements, relations with the Indians, pioneer farming, early trade routes, use of improved machinery, development of specialized farming, transportation, and markets. Studies of this kind should include, further, a consideration of the systems of land tenure and tenancy, size of farms, land values and rentals, and the laws governing the inheritance of farm property. Attention should also be given to the sources of immigration, the types of farmers, the methods of farming, and the social phases of farm life, including education, religion, amusements, and entertainments. Currency and banking facilities, rural credit, rates of interest, farmers' organizations, and the relation of the farming population to national politics and legislation are likewise among the important subjects to be considered. Finally, the economic history of agriculture in any given State should include an historical and comparative study of the problems confronting the agricultural class. Similar studies may, indeed, be profitably made of larger geographic areas or regions like the Middle West.

*The History of the Transportation and Marketing of Agricultural Products.*—Among studies of this kind the history of the grain trade may be mentioned as worthy of primary consideration. Grain has always been the leading item entering into the internal commerce of the country.

As an article of export it attained first place after the Civil War, thus superseding cotton which formerly constituted the leading export product. This subject should include a study of the geographic distribution of grain production in the United States; the change in the areas of surplus production; the various routes — river, lake, canal, and rail — by which grain has been carried to market; the evolution of the leading primary grain markets; the transportation lines connecting the primary grain markets with the consuming States of the East and South; the development of the Atlantic and Gulf ports as local distributing and export centers for western grain and flour; and ocean steamship lines connecting these ports with the markets of Europe, South America, and the Far East. Attention should also be given to market conditions, price quotations and fluctuations, freight rates, terminal facilities, and charges for the handling of grain. Commercial agencies such as boards of trade and produce exchanges, their functions and the part they have played in the development of the grain trade, should be considered.

The history of the grain trade is the history of a competitive struggle between commercial centers for the surplus grain and flour of the Middle West destined for the consuming States of the East and the South and for the countries of western Europe. It is also the history of a competitive struggle between the water and rail routes and in turn between the rail routes themselves for this traffic. The inadequacy of our present transportation system for the handling of this traffic, combined with excessively high freight rates, has brought the entire Middle West into active support of the Great Lakes-St. Lawrence waterway project which is opposed by the commercial interests of Buffalo and New York City. These interests foresee in the construction of that route and the consequent develop-



ment of Chicago and Duluth as seaports, the destruction of a monopoly of the western grain traffic which they have held since the construction of the Erie Canal. This serves to illustrate the fact that the history of the grain trade of the United States, viewed in one way, is the history of the development of water, lake, canal, rail, and ocean transportation. To study the grain trade, therefore, is to study one of the fundamental problems in the history of the nation during the last one hundred years.

Similar studies should be made of the history of the provision trade — live stock and animal products; the history of the cotton trade; the history of the tobacco trade; and the history of the fruit trade. These subjects all occupy a place of fundamental importance in the history of the Mississippi Valley. They should, therefore, be studied by the historian. Moreover, such studies would furnish the necessary historical background for the consideration of present problems in the transportation and marketing of farm products which are engaging the attention of the economist and the lawmaker.

*The History of Farmers' Organizations.* — Studies of this kind may be divided into two groups: first, the organizations that seek to promote some special end or industry, among which may be mentioned the farmers' elevator companies, the meat producers' associations, the wool growers' association, and the coöperative creamery associations; and, second, those organizations that seek to unite the farmers as a class, as for example the Grange, the Farmers' Alliance, and the American Farm Bureau Federation. In this group are included also political organizations such as the Greenback and Populist parties, which were principally western and to a large extent agricultural in origin. Such a study should include an investigation in-

to the causes of agrarian discontent; the origin, formation, and growth of the organization; its functions and activities — political, economic, social, and educational; and its achievements and failures. The influence of the organization on State and national politics should be given due weight. Studies of this kind should receive considerable attention in view of the recent active interest which has been developed in the various forms of farmers' organizations — local, State, and national. They will contribute very materially to a proper understanding of the farmers' coöperative movement in this country and they will help to point the way to more successful and fruitful coöperation in the future.

*The History of Agricultural Education.* — This subject offers a variety of problems for study and investigation. Mention should be made especially of agricultural societies and fairs, the agricultural press, farmers' organizations, the United States Department of Agriculture, the various State departments of agriculture, and the agricultural colleges and experiment stations, including rural extension work, the introduction of agriculture into the high schools, and the recent development of the county agent work. These agencies have all been potent factors in the promotion of scientific knowledge relating to agriculture. They have contributed in no small measure to the rapid transformation of American agriculture from a primitive, pioneer, largely self-sufficing type of agriculture into a modern business organized on a scientific, capitalistic, commercial basis. We are still without a satisfactory treatment of any of these agencies, the importance of which is now coming to be recognized as the nation is entering upon the period of intensive development. These subjects, therefore, await the attention of the historian.

*The Biographies of Leading Men Who Have Contributed to the Advancement of Agriculture.* — Our agricultural history is not devoid of the personal element. Reference need only be made to George Washington whose extensive farming interests and activities and numerous writings on the subject of agriculture are sufficient to give him a prominent place in American history as one of the foremost agriculturists of his time. Consider also the place of Eli Whitney and his invention of the cotton gin in the history of the cotton industry and of Cyrus Hall McCormick and his invention of the reaper in the history of the wheat growing industry; of J. B. Turner and Justin H. Morrill in the movement for the establishment of colleges of agriculture and mechanic arts; of Oliver Hudson Kelly in the organization of the Grange; of James B. Weaver in the organization and history of the Greenback and Populist parties; of Seaman Knapp in the popularization of scientific farming in the southern States; of James Wilson in the extension and development of the activities of the United States Department of Agriculture; and of "Uncle Henry" Wallace in the promotion of scientific knowledge relating to agriculture. These names suggest at once a history of scientists, inventors, journalists, public men, and practical farmers who have rendered conspicuous service in the advancement of agriculture and who therefore deserve as prominent places in American history as our soldiers and our statesmen. The economic history of agriculture is therefore rich in the personal element.

The economic history of agriculture in the Mississippi Valley, as thus outlined, presents an inviting field for study and investigation. Although historians have not given this phase of our national life the attention and the emphasis which it deserves, it is encouraging to note an awakening interest in this direction. In evidence of this fact mention

should first be made of the leading State historical societies of the Mississippi Valley. These societies are doing an important work in the collection and classification of the historical sources, many of which have a direct bearing on agricultural history. Several societies have made provision for researches in this field and a number of papers have been published; while two State agricultural histories are now in course of preparation. The departments of history and economics in some of the colleges and universities of the country have begun to direct graduate students to this field, as shown by the annually published lists of masters' and doctors' dissertations; and some good monographs have been published. Some of the departments of history are now offering courses in agricultural history. The Department of Economics and Sociology of the Carnegie Institution at Washington has promised a comprehensive history of American agriculture which is to be published in the near future.

Mention should also be made of the recently formed Agricultural History Society which has become affiliated with the American Historical Association. This society has become an active agency for the promotion of scientific work in the economic history of agriculture, as shown by the topics listed on the programs of the society and the volume of papers which has just been published by the American Historical Association. Finally, reference should be made to the Mississippi Valley Historical Association which is an important agency for the encouragement of productive work in agricultural history.

These activities, however, represent only the pioneer undertakings which will need to be supplemented by numerous studies if the economic history of agriculture in the Mississippi Valley is to be properly recorded.

With the foregoing considerations in mind the reasons

for giving special attention to this hitherto neglected phase of American history may be briefly stated.

*Agriculture as the Leading Occupation.* — Viewed in one way, the history of the United States from the beginning has been in very large measure the story of rural communities advancing westward by the conquest of the soil and developing from a state of primitive self-sufficiency into a capitalistic and highly complex agricultural organization. Moreover, the great majority of the American people have always dwelt in rural communities. The United States census of 1910 showed that 54.2 per cent of the entire population was still classed as rural, the term rural population being interpreted to include towns having fewer than 2500 inhabitants, since such towns are directly dependent on the surrounding farming population. An analysis of the distribution of population over ten years of age and engaged in gainful occupations shows that 33.2 per cent of such persons were engaged in the occupation of agriculture, forestry, and animal husbandry — a larger percentage than was engaged in any other occupation. The United States census of 1920 is the first to show that the greater portion of the population no longer lives in rural communities. According to this report 48.6 per cent of the population is classified as rural. It is also the first census to show that agriculture can no longer lay claim to the largest percentage of persons over ten years of age engaged in gainful occupations. That is to say, while 26.3 per cent of those so employed were engaged in agriculture, forestry, and animal husbandry, 30.8 per cent were engaged in manufacturing and mechanical industries. These facts show that agriculture has until the last few years played a larger part in the life of the American people than any other occupation, industry, or profession, and that this alone is sufficient to

give it a place of predominant importance in the study of our national development.

*Relation of the Economic History of Agriculture to the Political and Constitutional History of the United States.*—National politics and legislation have to a large extent been concerned with the problems that have been evolved by a rapidly expanding agricultural empire. Among these problems may be mentioned territorial acquisitions, Indian wars and treaties, the public lands, internal improvements—roads, canals, and railroads—the extension of cotton and slavery, banking, currency, and foreign affairs. A study of agricultural history shows, for example, that it was the demand of the southwestern farmers for the free and unrestricted use of the Mississippi River as an outlet for the surplus products and the use of New Orleans as an export trade center that led directly to the acquisition of Louisiana; that it was the interference with our agricultural export trade during the Napoleonic wars that constituted one of the principal causes of the Second War of Independence; that it was the grain and wool producing States, in support of the home market argument, that enabled the protectionist forces under the leadership of Henry Clay to enact the high tariff of 1824; and that it was the contest between two opposing systems of agriculture—the one aristocratic, with large plantations, slave labor, and cotton, the other democratic with small holdings, free labor, and diversified farming—for the control of the West and for supremacy in the national government that dominated national politics and legislation for nearly a generation and finally led to the Civil War. While it is generally conceded that cotton was the economic weapon with which the South hoped to secure British recognition of the Confederacy, it is no less significant that England's imperative need of north-

ern wheat, due to the failure of the home and continental supplies, operated effectively to keep the British government officially neutral during the continuance of the struggle. Nor should we omit reference to the homestead law, enacted in 1862, the law providing for the establishment of colleges of agriculture and mechanic arts, the law creating the United States Department of Agriculture, and the law providing for a huge grant of land to aid in the construction of the Union Pacific Railroad. These laws represented a great triumph of the agricultural West in its demand for those agencies which were designed to promote the interests of the farming class.

The revolution in agriculture during the latter half of the nineteenth century gave rise to many problems which became the subject of national politics and legislation. New parties were formed which gave expression to agrarian demands. The Greenback and Populist parties became the rallying ground for the more discontented and radical farmers who believed that needed legislation could be secured only by inaugurating a revolt against the major parties and organizing new parties dedicated to the cause of the farmer and the laboring man; while the majority of the farmers realized that their demands could be more effectively presented and secured through the major parties. The latter group, represented in the seventies by the Grangers and in our time by the Non-Partisan League and the American Farm Bureau Federation, remained in the old parties, nominated and elected candidates pledged to secure agrarian reforms, and incorporated their demands in the major party platforms, with the result that they contributed in no slight degree to the enactment of legislation designed to promote the interests of the farmer. Among these measures may be mentioned the enactment in 1887 of the Hatch Act providing for the establishment of

agricultural experiment stations, and in 1888 of the law advancing the United States Department of Agriculture to the rank of a cabinet office; the passage of the Interstate Commerce Act in 1887, the Sherman Anti-Trust Act in 1890, and the Federal Reserve Act in 1913; and the more recent agricultural legislation which has been enacted largely through the influence of the American Farm Bureau Federation, not to mention the formation of the agricultural bloc in Congress and the calling of the agricultural conference in Washington. These illustrations are sufficient to emphasize the fact that a proper interpretation of politics and legislation is dependent in no small measure on the study of agricultural history.

*The Economic History of Agriculture as a Necessary Background for the Development of a Sound and Far-sighted Rural Economy.*—Economic history bears about the same relation to economic science that political history bears to political science. The value of political history to the political scientist is so obvious as to require no defense. History is the school of experience in which political theories are tried out and tested; and so it becomes the first duty of the student of government to inform himself concerning the nature and workings of political experiments in the past in order that he may draw upon these experiments in the formulation of theories, the soundness of which must in turn be tested in the school of experience. "I have but one lamp by which my feet are guided", said Patrick Henry, "and that is the lamp of experience". To which he added: "I know no way of judging the future but by the past". The value of the historical approach to the study of present day problems has recently been further emphasized by James Harvey Robinson thus: "Certain generally accepted historical facts, if permitted to play



a constant part in our thought, would automatically eliminate a very considerable portion of the gross stupidity and blindness which characterize our present thought and conduct in public affairs and would contribute greatly to the remaking and expansion of the mind."

This argument applies to the economist with quite as much force as it does to the political scientist. That is to say, the economist needs to be familiar with the economic life of man in the past in order to understand and appreciate the organic nature of society. He needs to be historically minded if he would deal efficiently with the problems of the present. It goes without saying that too many economists are not properly trained in the historical method which constitutes the only safe and sane approach to the solution of present day problems. Too many economists have been content to work in the realm of abstract theories without giving adequate attention to the teachings of history. As a consequence economic theories have been advanced which ignored the lessons of experience; whereas, if these lessons had been understood and appraised at their proper value, proposed plans and theories for the solution of economic and social problems would have been inaugurated along more sane and constructive lines. The study of history is the only route by which this can be accomplished, though it is the sort of preparation which is often sacrificed by students who are interested in the solution of present day problems.

The great problems of rural communities are human rather than merely materialistic. That is to say, they are economic, social, and political, and they can not be understood without due attention being given to their historical evolution. Questions of land tenure and tenancy, markets — including the complex problems of distribution and exchange — capitalistic agriculture, the rise of land values,

rural credits, farmers' organizations with their economic, political, educational, and social functions, the rural school, the rural church, and good roads are only a few of the vital problems which should be considered from an historical and comparative, as well as from a purely technical, point of view. These problems will henceforth demand a superior type of statesmanship, for we are to-day passing rapidly through a great transition period of our history. We have emerged from the period of colonization, of exploitation, of extensive development; and we have now entered upon a period of intensive development. There is a greater need than ever for calling upon the wisdom and experience of the past in the working out of a sound and farsighted system of rural economy. We are in need of a scientific treatment of the economic history of agriculture in this country to help supply this need.

*The Economic History of Agriculture as Part of a Well Balanced History of the Nation.*—Our history may, for convenience, be studied under the following heads according to phases of social life treated: (a) political, (b) constitutional, (c) military, (d) economic, (e) religious, (f) domestic, (g) history of morals, (h) history of intellectual life, and (i) history of the fine arts. Economic history is further divisible into: (a) the history of population and immigration, (b) the history of agriculture, (c) the history of manufacturing, (d) the history of mining, (e) the history of transportation, (f) the history of domestic and foreign commerce, (g) the history of money and banking, (h) the history of the labor movement, (i) the history of industrial organizations, (j) the history of social legislation, (k) the history of federal and State finance, and (l) the history of the tariff. We have been supplied with histories galore dealing with the political, constitutional, and

military aspects of American development; but we have scarcely as yet begun to make a scientific study of the other phases of our national life which have just been mentioned. While some attention has been given to the study and writing of economic history this phase of our history has been approached more from the industrial and economic point of view; while the agricultural point of view has received hardly any consideration whatever. Moreover, these various divisions of our history are, strictly speaking, not divisions at all but constituent parts of our nation's history. They are rather phases or points of view in the study of human society; and no phase of the study can be properly understood or interpreted except in its relation to other phases of development. It goes without saying, then, that if we are to have a well balanced history of a nation, no little attention must be given to the study of our agricultural history as well as to military and political history.

After all is said, however, it must be understood, as has already been shown, that our agricultural history is not to be viewed in the strict or narrow sense, but in the broad sense to include the whole life of the rural population, the conditions which have affected the progress of agriculture in the different periods, and the influence of agriculture on our whole national life — economic, political, constitutional, military, religious, intellectual, moral, and aesthetic. Thus defined the economic history of agriculture is a constituent part of the life of the entire people closely related with other phases of our national development. To define it in this way is to direct attention not to a separate or distinct phase of American history but to a new point of view in the study of our national development. "The marking out of such a field is only a fresh example of the division of scientific labour: it is the provisional isolation,

for the better investigation of them, of a particular group of facts and forces'', in order that a true history of our national progress and development may finally be written. In this study of history the Mississippi Valley must have a prominent place.

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## THE WESTWARD MOVEMENT OF THE CORN GROWING INDUSTRY IN THE UNITED STATES<sup>1</sup>

Corn is indigenous to America, its origin having been traced back to a period long before the coming of the white man. Ears of corn have been found in tombs of the earlier inhabitants in Mexico and in the countries of Central and South America.<sup>2</sup> From these countries corn made its way north into the region now included in the United States where it was found by European explorers of the sixteenth and seventeenth centuries. Columbus saw it grown in the West Indies. Numerous references to "Indian corn", as the white man called this new and important grain, are found in the accounts which Spanish and French explorers have left us of their travels through the central region of North America. In short, throughout the vast region from Maine to the Gulf of Mexico and from the Atlantic Coast to the foothills of the Rocky Mountains, corn was grown in great abundance by the Indians when the European colonization of America began.<sup>3</sup>

<sup>1</sup> For a similar study of the wheat growing industry in the United States see Schmidt's *The Westward Movement of the Wheat Growing Industry in the United States* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XVIII, pp. 371-395.

<sup>2</sup> Bremer's *Report on the Cereal Production in the United States*, pp. 93-95, in the *Tenth Census of the United States*, 1880, Vol. III.

<sup>3</sup> The writer has found numerous references to Indian corn, or maize (the West Indian name for corn) in the accounts of the early Spanish and French explorers and of the later English settlers. See the index to the volumes of *Original Narratives of Early American History*, edited by John Franklin Jameson, Director of the Department of Historical Research at the Carnegie Institution of Washington, under "corn" and "maize". See

Champlain was the first explorer to leave an account of its cultivation in New England.<sup>4</sup> In the narrative of his travels in 1605 he reported:

We saw their Indian corn, which they raise in gardens. Planting three or four kernels in one place, they then heap up about it a quantity of earth with shells of the signoe [horseshoe crab] before mentioned. Then three feet distant they plant as much more, and thus in succession. With this corn they put in each hill three or four Brazilian beans, which are of different colors. When they grow up, they interlace with the corn, which reaches to the height of from five to six feet; and they keep the ground very free from weeds. We saw there many squashes, and pumpkins, and tobacco, which they likewise cultivate.

The Indian corn which we saw was at that time about two feet high, some of it as high as three. . . . They plant their corn in May, and gather it in September.<sup>5</sup>

John Smith in his *Description of Virginia*, published in 1612, gives the following very interesting account of corn cultivation and its preparation as a food by the Indians:

The greatest labour they take, is in planting their corne, for the country naturally is overgrowne with wood. To prepare the ground they bruise the barke of the trees neare the roote, then do they seortch the roots with fire that they grow no more. The next yeare with a crooked peece of wood, they beat up the woodes by the rootes; and in that [those] moulds, they plant their corne. Their manner is this. They make a hole in the earth with a also Thwaites's *Early Western Travels, 1748-1846*, Vol. XXXI, index under "corn".

<sup>4</sup> *Voyages of Samuel de Champlain, 1604-1618*, p. 95, note 3, in *Original Narratives of Early American History*, edited by John Franklin Jameson, Director of the Department of Historical Research at Carnegie Institution of Washington.

<sup>5</sup> *Voyages of Samuel de Champlain, 1604-1618*, p. 62, in *Original Narratives of Early American History*, edited by John Franklin Jameson, Director of the Department of Historical Research at the Carnegie Institution of Washington.

sticke, and into it they put 4 graines of wheat and 2 of beanes. These holes they make 4 foote one from another. Their women and children do continually keepe it with weeding, and when it is growne midle high, they hill it about like a hop-yard.

In Aprill they begin to plant, but their chiefe plantation is in May, and so they continue till the midst of June. What they plant in Aprill they reape in August, for May in September, for June in October. Every stalke of their corne commonly beareth two eares, some 3, seldome any 4, many but one, and some none. Every ear ordinarily hath betwixt 200 and 500 graines. The stalke being green hath a sweet juice in it, somewhat like a sugar Cane, which is the cause that when they gather their corne greene, they sucke the stalkes: for as wee gather greene pease, so doe they their corne being greene, which excelleth their old. They plant also pease they cal *Assentamens*, which are the same they cal in Italye, *Fagioli*. Their Beanes are the same the Turkes cal *Garnansces*, but these they much esteeme for dainties.

Their corne they roast in the eare greene, and bruising it in a mortar with a Polt [thump], lappe it in rowles in the leaves of their corne, and so boyle it for a daintie. They also reserve that corne late planted that will not ripe, by roasting it in hot ashes, the heat thereof drying it. In winter they esteeme it being boyled with beans for a rare dish, they call *Pausaroumena*. Their old wheat [corn] they first steep a night in hot water, in the morning pounding it in a mortar. They use a small basket for their Temmes [hulls], then pound againe the great, and so separating by dashing their hand in the basket, receave the flower [meal] in a platter made of wood scraped to that forme with burning and shels. Tempering this flower with water, they make it either in cakes, covering them with ashes till they bee baked, and then washing them in faire water, they drie presently with their owne heat: or else boyle them in water eating the broth with the bread which they call *Ponap* [pone]. The grouts and peeces of the cornes remaining, by fanning in a Platter or in the wind away the branne, they boile 3 or 4 houres with water; which is an ordinary food they call *Ustatahamen*. But some more thrifty then cleanly, doe burn the core of the eare to powder which they call *Pungnough*, mingling that in their meale; but it never tasted well in bread, nor broth. Their fish and flesh they boyle

either very tenderly, or broyle it so long on hurdles over the fire; or else after the Spanish fashion, putting it on a spit, they turne first the one side, then the other, til it be as drie as their jerkin beefe in the west Indies, that they may keepe it a month or more without putrifying. The broth of fish or flesh they eate as commonly as the meat.

In May also amongst their corne, they plant Pumpeons, and a fruit like unto a muske millen, but leese and worse; which they call *Macocks*. These increase exceedingly, and ripen in the beginning of July, and continue until September. They plant also *Maracocks* a wild fruit like a lemmon, which also increase infinitely: they begin to ripe in September and continue till the end of October. When all their fruits be gathered, little else they plant, and this is done by their women and children; neither doth this long suffice them: for neere 3 parts of the yeare, they only observe times and seasons, and live of what the Country naturally affordeth from hand to mouth, &c.<sup>6</sup>

The European colonists did not readily adapt the crops and methods of agriculture with which they were familiar at home to American conditions. Nor were they able to secure adequate supplies from home; while the proceeds of hunting offered a precarious living. Consequently, they were compelled to rely on Indian knowledge and methods of farming for an adequate supply of food. Corn, the chief cultivated food plant of the Indian, thus became the leading food product first cultivated by the white man.<sup>7</sup> The settlers obtained their first supplies of corn from the Indians who in turn taught them how to prepare the ground, plant the seed, care for the growing crop, store

\* *Narratives of Early Virginia, 1606-1625*, pp. 95-97, in *Original Narratives of Early American History*, edited by John Franklin Jameson, Director of the Department of Historical Research of the Carnegie Institution of Washington.

<sup>7</sup> For a list of references on Indian agriculture in America see Schmidt's *Topical Studies and References on the Economic History of American Agriculture* (McKinley Publishing Company, Philadelphia, 1919), Topic IV, pp. 26-28.



the ripened grain, and, finally, how to prepare it as an article of food.

The settlers readily took up the cultivation of this new and important grain. They soon found that it was much easier to grow than the imported grains—wheat, rye, oats, and barley—which they had been accustomed to growing before they came to America. These grass-like varieties of grain required smooth ground free from stumps and stones. Such ground was not available in America during the colonial period since the land was heavily wooded. The Indians showed the settlers how to girdle the trees and then how to plant the corn around the stumps. The returns, considering the time and the effort, were much greater than those to which they had been accustomed in the raising of the smaller grains at home. The settlers soon found that they could easily grow more corn than was needed for their own use as an article of food or as a feed for live stock. Corn therefore sought an outlet, and a considerable export trade was developed.<sup>8</sup>

The farmers in the central part of the State of New York floated their corn down the Delaware and Susquehanna rivers to Philadelphia and Baltimore on arks built for the purpose. The farmers in the Ohio Valley in the same manner floated corn down to New Orleans. From these cities it was carried either to the southern States or exported to foreign countries.<sup>9</sup>

<sup>8</sup> Bogart and Thompson's *Readings in the Economic History of the United States*, pp. 74-81. For a list of references on agriculture in the American Colonies see Schmidt's *Topical Studies and References on the Economic History of American Agriculture* (McKinley Publishing Company, Philadelphia, 1919), Topic VI, pp. 29-31.

<sup>9</sup> Johnson's *History of Domestic and Foreign Commerce of the United States*, Vol. I, pp. 203, 204, 214, 215; Tench Coxe's *A View of the United States of America, 1787-1794* (Philadelphia, 1794), p. 414. This gives a table showing the exports of corn, wheat, oats, rye, buckwheat, and other commodities for each of the thirteen States for the year 1791-1792.

The completion of the Erie Canal in 1825 opened an eastern water route via the Hudson River from Buffalo to New York City. In the fifties the rapid development of railway transportation was begun. The eastern markets were now brought within easy reach of the Middle West, with the result that population and grain production began their rapid march across the continent.<sup>10</sup>

As population moved westward into the Mississippi Valley the country became differentiated into three great economic sections. The East, including New England and the Middle Atlantic States, became more and more devoted to manufacturing and commerce; the South to the raising of the staple plantation products—cotton and tobacco; and the West to production of food. This economic specialization placed the East, the South, and the West in a dependent relation to one another. The West was thus enabled to devote its attention more exclusively to the production of those commodities for which it was best adapted. Grain thus constituted the leading product which this section contributed in rapidly increasing quantities as the live stock industry was developed and transportation facilities were expanded and improved.<sup>11</sup>

By 1840, the year of the first agricultural census, the corn growing industry had definitely entered the Missis-

<sup>10</sup> For a brief sketch of the westward movement of agriculture see Kinley's *The Center of Agricultural Production* in Bailey's *Cyclopedia of American Agriculture*, Vol. IV, 1909, pp. 119-125. See also the *Twelfth Census of the United States*, 1900, Vol. V, pp. xxxvii-xlii; Schmidt's *The Westward Movement of the Wheat Growing Industry in the United States* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XVIII, pp. 371-395; Brooks's *The Story of Corn and the Westward Migration*, 1916. The last reference gives a popular account.

<sup>11</sup> Johnson's *History of Domestic and Foreign Commerce in the United States*, Vol. I, Ch. XIV. See also Schmidt's *The Internal Grain Trade of the United States, 1850-1860*, in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XVIII, pp. 94-124.

ssippi Valley. This is shown by reference to Table I, giving the rank of the first ten corn producing States, together with the number of bushels and the per cent of the entire crop produced by each State. Tennessee ranked first in corn production with 44,986,000 bushels which constituted 12 per cent of the entire crop; Kentucky was second with 39,847,000 bushels, or 11 per cent of the whole product; Virginia was third with 34,577,000 bushels, or 9 per cent of the entire product; Ohio was fourth with 33,668,000 bushels, or 9 per cent of the entire crop; Indiana was fifth with 28,156,000 bushels, or 7 per cent of the whole crop; North Carolina was sixth with 23,894,000 bushels, or 6 per cent of the whole product; Alabama was eighth with 20,947,000 bushels, or 6 per cent of the whole crop; Georgia was ninth with 20,905,000 bushels, or 6 per cent of the entire crop; and Missouri ranked tenth in the list with

TABLE I

TEN LEADING CORN PRODUCING STATES IN 1839 <sup>12</sup>			
RANK	STATES	BUSHEL	PER CENT OF ENTIRE CORN CROP
1	Tennessee	44,986,188	12
2	Kentucky	39,847,120	11
3	Virginia	34,577,120	9
4	Ohio	33,668,144	9
5	Indiana	28,155,887	7
6	North Carolina	23,893,763	6
7	Illinois	22,634,211	6
8	Alabama	20,947,004	6
9	Georgia	20,905,122	6
10	Missouri	17,332,524	5

<sup>12</sup> The statistics in this table are taken from Brewer's *Report on the Cereal Production in the United States*, p. 91, in the *Tenth Census of the United States*, 1880, Vol. III.

17,333,000 bushels, which represented 5 per cent of the nation's product.

The ten leading corn producing States in 1839 contributed 77 per cent of the nation's entire product. Six of these States were southern States—Tennessee, Kentucky, Virginia, North Carolina, Alabama, and Georgia—which together produced 50 per cent of the entire crop of the nation, while the four remaining States—Ohio, Indiana, Illinois, and Missouri—belonged to the North Central group and produced 27 per cent of the nation's product. Tennessee, Kentucky, and Virginia together produced 32 per cent of the entire crop, while Ohio and Indiana together produced 16 per cent of the whole crop. It will be noted that the North Atlantic division was not represented in the list of the first ten, while the South Atlantic division was represented by three States—Virginia, North Carolina, and Georgia—which together produced 21 per cent of the whole crop. The remaining seven States belonging to the Central division, produced 56 per cent of the entire crop.

The ten leading corn producing States in 1849 were the same as those listed by the previous census, though there was a significant change in the relative rank of these States, which shows that the corn growing industry had definitely begun to move into the North Central region. It will be seen by reference to Table II that in 1849, Ohio advanced from fourth to first place, while Tennessee was reduced from first to fifth place. Kentucky retained second place. Illinois rose from seventh to third place, while Virginia dropped from third to seventh place. Indiana advanced from fifth to fourth place. Missouri rose from tenth to sixth place, while North Carolina dropped from sixth to tenth place. Georgia rose from ninth to

eighth place, while Alabama dropped from eighth to ninth place.

These ten States in 1849 produced 75.1 per cent of the

TABLE II

TEN LEADING CORN PRODUCING STATES IN 1849 <sup>13</sup>			
RANK	STATES	BUSHEL	PER CENT OF ENTIRE CORN CROP
1	Ohio	59,078,695	10.0
2	Kentucky	58,672,591	9.9
3	Illinois	57,646,984	9.7
4	Indiana	52,964,363	8.9
5	Tennessee	52,276,223	8.8
6	Missouri	36,214,537	6.1
7	Virginia	35,254,319	6.0
8	Georgia	30,080,099	5.1
9	Alabama	28,754,048	4.9
10	North Carolina	27,941,051	4.7

entire corn crop of this country. That the corn growing industry was rapidly moving not only westward across the Alleghanies into the Mississippi Valley but also north-westward into the North Central division is shown by the fact that whereas in 1839 the three Atlantic Coast States of Virginia, North Carolina, and Georgia contributed 21 per cent of the nation's product, in 1849 they contributed but 15.8 per cent of the whole product; and whereas in 1839 the six southern States of Virginia, North Carolina, Georgia, Alabama, Tennessee, and Kentucky contributed 50 per cent of the entire corn crop, in 1849 they contributed but 40.4 per cent of the entire crop. Finally, whereas the North Central States of Ohio, Indiana, Illinois, and

<sup>13</sup> The statistics in this table are taken from the *Twelfth Census of the United States*, 1900, Vol. VI, p. 81.

Missouri in 1839, contributed but 27 per cent of the entire corn crop of the nation, in 1849 they contributed 34.7 per cent of the entire product. Meanwhile the center of corn production had crossed the Ohio River and was located at a point eighty-six miles east-southeast of Columbus, Ohio.<sup>14</sup>

The movement of the corn growing industry into the North Central region was further continued during the decade of the fifties. It will be seen by Table III, giving the ten leading corn producing States in 1859, that Illinois had now advanced from third to first place, thus displacing Ohio which was reduced to second place. Missouri advanced from sixth to third place, while Indiana retained fourth place. Kentucky dropped from second to fifth place and Tennessee from fifth to sixth place. Iowa now entered the list of the first ten as seventh. Virginia dropped from seventh to eighth place and Georgia from eighth

TABLE III

TEN LEADING CORN PRODUCING STATES IN 1859 <sup>15</sup>			
RANK	STATES	BUSHEL	PER CENT OF ENTIRE CORN CROP
1	Illinois	115,174,777	13.7
2	Ohio	73,543,190	8.8
3	Missouri	72,892,157	8.7
4	Indiana	71,588,919	8.5
5	Kentucky	64,043,633	7.6
6	Tennessee	52,089,926	6.2
7	Iowa	42,410,686	5.0
8	Virginia	38,319,999	4.6
9	Alabama	33,226,282	4.0
10	Georgia	30,776,293	3.7

<sup>14</sup> *Twelfth Census of the United States*, 1900, Vol. VI, p. 24.

<sup>15</sup> These statistics are taken from the *Twelfth Census of the United States*, 1900, Vol. VI, p. 81.

to tenth, while Alabama retained ninth place, and North Carolina dropped out altogether.

The ten leading corn growing States in 1859 produced 70.8 per cent of the entire corn crop of the country. Of these States, the two Atlantic Coast States of Virginia and Georgia contributed 8.3 per cent of the entire product, and the five southern States of Virginia, Georgia, Alabama, Tennessee, and Kentucky contributed 26.1 per cent of the whole product, while the five North Central States of Ohio, Indiana, Illinois, Missouri, and Iowa contributed 44.7 per cent of the nation's product. Whereas the best three corn producing States in 1839 were the southern States of Tennessee, Kentucky, and Virginia which together constituted 32 per cent of the entire product, in 1859 the first three corn producing States were the North Central States of Illinois, Ohio, and Missouri, which furnished 31.2 per cent of the nation's corn crop. In further evidence of the rapid movement westward of corn production it may be noted that the center of production was by 1859 moved to a point forty-seven miles west-southwest of New Albany, Indiana.<sup>16</sup>

The decade of the fifties witnessed the rapid development of the forces which were destined after 1860 to transform agriculture from a primitive, pioneer, largely self-sufficing occupation to a modern business organized on a capitalistic commercial basis. This transformation was effected so rapidly during the period from 1860 to the close of the century that it may properly be designated as an agricultural revolution. Contributing to this revolution were the following factors:<sup>17</sup>

<sup>16</sup> *Twelfth Census of the United States*, 1900, Vol. VI, p. 24.

<sup>17</sup> For an extended treatment of these factors see Schmidt's *Some Significant Aspects of the Agrarian Revolution in the United States* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XVIII, pp. 371-395. See also Ross's

1. The vast empire of virgin land, and the liberal land policy of the Federal government. By the passage of the Homestead Law of 1862, the Federal government made it possible for a person to locate upon 160 acres of unappropriated land, to live upon the same for a period of five years, and at the end of that period to receive a patent therefor free of cost. By 1880 entries under this law numbered 469,782, comprising an area of 55,667,045 acres of the best land available for agricultural purposes.<sup>18</sup> Under this law and various other land laws enacted during this period, the government disposed of 461,894,000 acres during the period from 1860 to 1890, with the result that the farming area of the country was expanded with remarkable rapidity.<sup>19</sup>

2. The rapid growth of population and immigration. Population was doubled in the thirty-year period from 1860 to 1890, increasing from 31,443,000 to 62,995,000.<sup>20</sup> One-third of this increase was composed of foreign immigrants, considerable numbers of whom took advantage of the government's liberal land policy and settled on the virgin lands of the Middle West which were especially well adapted to cereal production.

3. The introduction and popularization of improved labor-saving farm implements and machinery. The great epoch-making machines, which transformed farming from hard labor to horse and steam power, were the cast iron plow, the corn planter, the grain drill, the two-horse cultivator, the reaper, and the stacking machine. These in-

*The Agrarian Revolution in the Middle West* in *The North American Review*, Vol. 190, pp. 376-391, and Ross's *Agrarian Changes in the Middle West* in *The Political Science Quarterly*, Vol. XXV, pp. 625-637.

<sup>18</sup> Donaldson's *The Public Domain*, pp. 350, 355.

<sup>19</sup> This figure is based on tables in the *Annual Report of the Commissioner of the General Land Office* (Washington), 1860, p. 25, 1890, p. 121.

<sup>20</sup> *Thirteenth Census of the United States*, 1910, Vol. I, p. 24.



ventions were all produced before 1860, but it was the Civil War and the consequent withdrawal of so many laborers from the fields that popularized these inventions. The improvements made on these inventions brought them into more general use and the result was that larger areas of land were cultivated and the productivity of each unit of land and of labor was greatly increased. Especially was this true in the production of the cereals of which corn was the most important.<sup>21</sup>

4. The extension and development of transportation facilities. The Mississippi River with its navigable tributaries constituted the great interior waterway for the transportation of the surplus products of the Middle West destined for consumption in the southern States and for export via New Orleans to the Atlantic Coast States and to Western Europe. The construction of the Erie Canal in 1825 opened up an eastern waterway—the Great Lakes-Erie Canal-Hudson River route which hastened the settlement of the prairie country with the result that the eastern waterway soon outstripped its southern rival in the transportation of grain to the seaboard. Meanwhile railroads were extended into the Middle West. Considered at first merely as tributary to the waterways they soon became the principal means of transportation. In 1860 there were 30,626 miles of railroad in the country distributed about equally among the three great sections of the country: the East, the South, and the Middle West. This was practically doubled every ten years until by the close of the century there were 198,964 miles of railroads in operation.<sup>22</sup> This rapid development of rail transpor-

<sup>21</sup> Quaintance's *The Influence of Farm Machinery on Production and Labor in The Publications of the American Economic Association*, Series III, Vol. V, No. 4, November, 1904, pp. 1-103. See also Thornton's *The Revolution by Farm Machinery in The World's Work*, Vol. VI, pp. 3766-3779.

<sup>22</sup> *Statistical Abstract of the United States*, 1902, pp. 404, 405.

tation was accompanied by great improvements in road beds and rolling stock which further increased the value of the railroads as commercial highways for the transportation of the surplus grain and live stock which the Middle West was able to furnish in rapidly increasing quantities to the consuming centers of the East, the South, and Western Europe.

5. The growth of domestic and foreign markets. The various factors which have already been mentioned—the vast empire of virgin land and the liberal land policy of the Federal government, the rapid growth of population and immigration, the introduction and popularization of improved farm implements and marketing, and the extension and development of transportation facilities—made possible that territorial division of labor among the three great sections of the country—the East, the South, and the West—upon which the growing volume of trade depended. While the West devoted itself to the production of grain and live stock, the East turned its attention more to manufacturing and the South to the raising of plantation products. Thus did the East and the South become increasingly dependent on the Middle West for its food products. This afforded a market for the growing surplus which found its way eastward and southward to the consuming regions, while Western Europe came in for a considerable share of this surplus which was transported in ocean steamships at reduced rates. As a result of this competition, the Western European countries—especially England—now turned their attention more exclusively to industry and commerce.<sup>23</sup>

6. The development of agencies for the promotion of

<sup>23</sup> Schmidt's *The Influence of Wheat and Cotton on Anglo-American Relations During the Civil War* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XVI, pp. 400-439. See also Schmidt's *The Internal Grain Trade of the United States, 1860-1890*, in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XIX, pp. 196-245, 414-455, Vol. XX, pp. 70-131.

scientific knowledge relating to agriculture. Among these may be mentioned the Federal and State departments of agriculture, the agricultural colleges and experiment stations, including rural extension work, farmers' organizations, and the agricultural press.<sup>24</sup>

These six factors combined revolutionized American agriculture during the latter half of the century. The colonization of the great agricultural empire of the Mississippi Valley and the Pacific Coast was completed and a huge surplus of farm products was accumulated which found its way into the markets of the world. Of fundamental significance in the transformation of the farming industry was the production of corn. This grain, however, differs from other cereals, especially wheat, in that wheat is primarily an article for human consumption, being the leading breadstuff of the United States and the western countries of Europe, while corn is primarily an article for animal consumption, going to market in the form of beef, pork, and dairy products.<sup>25</sup>

<sup>24</sup> For a list of references on the development of the various agencies for the promotion of scientific knowledge relating to agriculture see Schmidt's *Topical Studies and References on the Economic History of American Agriculture* (The McKinley Publishing Company, Philadelphia, 1919), Topics XXXI, XXXII, XXXIII.

<sup>25</sup> "The question has been frequently asked, What is the necessary consumption of maize per capita in the United States? No fixed quantity can be designated as a necessity in the whole country, or in a particular State. It depends not only upon the numbers of people, but upon the farm animals to be fed and fattened, and the comparative quantity and price of hay and forage, and all substitutes for corn which may be used in larger proportion in a season of scarcity. The West, under existing circumstances, can consume 55 bushels for each unit of population, ship 30, and have 5 as a surplus; or with 800,000,000 instead of 1,200,000,000 bushels, it can, by economy and substitution, make 40 bushels answer, and ship 20, the increased price naturally reducing both consumption and exportation. A reduction of over 500,000,000 in a single year has had this effect: It has increased the price more than 50 per cent. and advanced the average price of swine, sold for packing, to 31 per cent.; the actual average of 1881-'82. It increased the cost of beeves, but not in that proportion, as they are the

With the foregoing factors in mind, attention will now be given to a comparative study of the ten leading corn growing States at the various census periods from 1870 to 1910.

It will be seen by reference to Table IV that in 1869 Illinois retained first place, Ohio dropped from second to third place, while Iowa advanced from seventh to second place. Missouri dropped from third to fourth place, Indiana from fourth to fifth place, Kentucky from fifth to sixth place, and Tennessee from sixth to seventh place. Pennsylvania entered the list as eighth thus taking the place of Virginia, which now dropped out altogether. Texas entered the list as ninth, thus taking the place of Alabama which was reduced to tenth place, while Georgia which had occupied tenth place dropped out altogether.

The ten leading corn producing States in 1869 produced 72 per cent of the entire crop of the nation. The North Atlantic division, was now represented in the list of the first ten by the single State of Pennsylvania which contributed 4.6 per cent of the entire crop. The South Atlantic

growth of three or four years, and not of a single season, and the product of grass rather than corn. But when, during the planting season of 1882, there was prospect of another failure, a panic seized the beef market, and the advance was temporarily 30 per cent. additional.

“The comparison of production of corn by States, according to the population in June, 1880, and the crop of the preceding calendar year, gives precedence to Iowa as the first in rank, with 169.3 bushels to each inhabitant. Nebraska claims the second place, with 144.7 bushels, Kansas has 106.1 bushels, and Illinois 105.9 bushels. The State first in actual quantity is therefore fourth in per capita standing. There are but nine States that have more than 30 bushels per head. The fifth in rank, Missouri, has 93.4 bushels; sixth, Indiana, 58.4; seventh, Kentucky, 44.2; eighth, Tennessee, 40.7; ninth, Ohio, 34.9. New England, New York, New Jersey, the Pacific coast and the Territories, exclusive of Dakota, have each less than 10 bushels per head.”—*Report of the Commissioner of Agriculture* (United States), 1881-1882, p. 583. See also *Report on the Internal Commerce of the United States* (Bureau of Statistics, Treasury Department), 1879, Appendix, pp. 174-176, 183-185.

TABLE IV

TEN LEADING CORN PRODUCING STATES IN 1869 <sup>26</sup>			
RANK	STATES	BUSHEL	PER CENT OF ENTIRE CORN CROP
1	Illinois	129,921,395	17.1
2	Iowa	68,935,065	9.1
3	Ohio	67,501,144	8.9
4	Missouri	66,034,075	8.7
5	Indiana	51,094,538	6.7
6	Kentucky	50,091,006	6.6
7	Tennessee	41,343,614	5.4
8	Pennsylvania	34,702,006	4.6
9	Texas	20,554,538	2.7
10	North Carolina	18,454,215	2.4

division, it will be noted, was now represented by but one State—North Carolina—in the list of the first ten. The South Central division was represented by the three States of Tennessee, Kentucky, and Texas which contributed 14.7 per cent of the whole product. The North Central division was represented by the five States of Ohio, Indiana, Illinois, Iowa, and Missouri which contributed 50.5 per cent of the nation's product. The two North Central States of Illinois and Iowa which ranked first and second respectively contributed 26.2 per cent, or a little more than one-fourth of the entire product. The center of corn production in 1869 was located at a point ninety miles southwest of Indianapolis, Indiana.<sup>27</sup>

The next decade witnessed a further movement of the corn growing industry into the North Central region due to the operation of the forces already mentioned. No less

<sup>26</sup> These statistics are taken from the *Twelfth Census of the United States*, 1900, Vol. VI, p. 81.

<sup>27</sup> *Twelfth Census of the United States*, 1900, Vol. VI, p. 24.

significant was the rapid expansion in the volume of production. It will be seen by Table V showing the ten leading corn producing States in 1879 that Illinois and Iowa still continued to hold first and second place respectively. Missouri advanced from fourth to third place, while Ohio was reduced from third to fifth place. Indiana advanced from fifth to fourth place. Kansas entered the list as sixth and Kentucky dropped from sixth to seventh place. Nebraska entered the list as eighth and Tennessee dropped from seventh to ninth place. Pennsylvania dropped from eighth to tenth place. North Carolina which in 1869 held

TABLE V

TEN LEADING CORN PRODUCING STATES IN 1879 <sup>28</sup>			
RANK	STATES	BUSHEL	PER CENT OF ENTIRE CORN CROP
1	Illinois	325,792,481	18.6
2	Iowa	275,014,247	15.7
3	Missouri	202,414,413	11.5
4	Indiana	115,482,300	6.6
5	Ohio	111,877,124	6.4
6	Kansas	105,729,325	6.0
7	Kentucky	72,852,263	4.2
8	Nebraska	65,450,135	3.7
9	Tennessee	62,764,429	3.6
10	Pennsylvania	45,821,531	2.6

tenth place was dropped out altogether, while Texas which entered the list as ninth in 1869 dropped out again.

The ten leading corn producing States in 1879 contributed 78.9 per cent of the entire corn crop of the nation. Pennsylvania, the only North Atlantic State listed in the

<sup>28</sup> These statistics are taken from the *Twelfth Census of the United States*, 1900, Vol. VI, p. 80.

first ten, contributed but 2.6 per cent of the entire crop and the two South Central States of Kentucky and Tennessee contributed but 7.8 per cent of the entire product; while the seven North Central States of Ohio, Indiana, Illinois, Iowa, Missouri, Kansas, and Nebraska contributed 68.5 per cent or nearly three-fourths of the entire corn crop of the nation. The center of corn production was now located at a point thirty-six miles southeast of Springfield, Illinois.<sup>29</sup>

The distribution of corn production in the United States according to the census of 1880 may be further defined as follows:

1. As to latitude. Approximately 20.2 per cent of the corn crop of the nation was produced between the fortieth and forty-first parallels of latitude, while 54.8 per cent was produced between the thirty-ninth and forty-second parallels of latitude. The remaining 45.2 per cent fell off on either side of this belt, more gradually, however, to the South.

2. According to topographical divisions. Forty-one per cent was produced in the "prairie region", while about 75 per cent was produced in the prairie region together with the divisions marked as the "Mississippi river belt, north", the "southwest central" region, and the "central and the Missouri river belt".

3. According to drainage basins. The Mississippi basin produced 83.4 per cent of the crop, while the Ohio basin produced 22.5 per cent of the entire crop.

4. According to elevation. Some 54 per cent of the entire crop was produced at an elevation of between 500 and 1000 feet above sea level; 83 per cent between 500 and

<sup>29</sup> *Twelfth Census of the United States, 1900, Vol. VI, p. 24.*

1500 feet; while but 44 per cent was grown above 1500 feet and about 12 per cent below 500 feet.<sup>30</sup>

These facts in the westward movement of corn production in the United States show that the conditions most favorable for large corn production are a summer season of at least five months without frost, sufficient moisture during the growing period, but not too much, hot weather during this period, with cool weather following to act as a check upon the leaf and stalk growth, causing the plant to expend its strength in seed development, somewhat as the pruning of an apple tree causes the tree to produce more fruit instead of leaves.<sup>31</sup> These conditions made possible the cultivation of large areas of corn with the least expenditure of hard labor in the seven North Central States of Ohio, Indiana, Illinois, Iowa, Missouri, Kansas, and Nebraska, which by 1880 had become the greatest corn belt in the world.

The corn growing industry in the United States is closely related to the production of live stock. These two lines of production are so interrelated and interdependent that any consideration of the one involves also a consideration of the other. Both lines of production had by 1880 largely become centered in the North Central States which henceforth constituted the great surplus grain and live stock producing area of the country. The relationship between grain growing and live stock production is thus described by W. H. Brewer in his *Report on the Cereal Production of the United States*:

First, in this country there is less hand-tillage for a given

<sup>30</sup> Brewer's *Report on the Cereal Production of the United States*, pp. 62-64, in the *Tenth Census of the United States*, 1880, Vol. III.

<sup>31</sup> Smith's *Industrial and Commercial Geography*, pp. 82-98; Blodgett's *Relations of Population and Food Products in the United States* (United States Department of Agriculture, Division of Statistics, Bulletin No. 24), p. 21.



amount of production than in any other in the world. Its place is supplied by animal power, and animals furnish all the power used directly in our agriculture, except steam for thrashing. Steam-plowing in the United States has not been successful, at least to the extent of producing any impression whatever upon the whole agriculture of the country. All the plowing, most of the tillage, a large proportion of the reaping, and a considerable proportion of the thrashing is performed by animals. A larger proportion of each of these is done by animal power than is done in the agriculture of any other country. In this respect, then, our great cereal production is immediately dependent upon the production of animals. This is so apparent that it needs no discussion; we will only say, in passing, that horses have performed the larger part of this work as compared with cattle. Writers in the last century, and in the very early part of this, regret that in the United States horse-power is used so exclusively on farms in the place of oxen, it being claimed that oxen were the most economical. This preference for horse-power, however, led to the use of lighter machinery and greater rapidity in the performance of farming operations. Thirty years ago numerous writers expressed the belief that the extension of railroads would be detrimental to horse production in the agricultural regions of the United States. It is, however, an interesting fact that, with the introduction of railroads, has come an increase in horse production. The diminution of the use of horses in staging has been much more than met by their increased use on the farm and for the transportation that is incidental to railroads.

In the second place, by the production of animals on grain farms, a greater variety of crops may be grown with profit, and there is a better utilization of waste material. In the older states the straw forms an important element of forage for the production of beef and wool. The unmarketable portion of the grain crop, the soft corn, the screenings from other grains, are utilized in the production of animal products. This is so evident that it is only under the most favorable circumstances that the grain-grower can afford to throw away the refuse and rely for his profits merely upon the grain produced.

In the third place, and intimately related to the last, is the production of manure on the farm. This assumes especial import-

ance in a variety of ways. Grain-growing cannot be carried on indefinitely without manuring except under those rare conditions where the land receives a supply of fertilizing elements from water, either by artificial irrigation or by natural overflows. The agriculture of any country, to be permanently prosperous, is practically founded on its system of manuring. The difference between the continued fertility and increasing production of the countries of northern Europe, of England, of Holland, of Belgium, and of similar countries, where much live-stock is grown, and the exhausted fertility of the countries lying about the Mediterranean, is due to the difference in the methods of farming and of manuring. In the one case, animals are grown, and the manure which they produce has tended to keep up the fertility of the soil; in the other, which is essentially an agriculture without domestic animals, hand-tillage taking the place of animal-tillage so far as is possible, crops are carried from the soil, and regions that once produced their hundred-fold now scarcely produce five-fold. The competition with the new western states, with their rich virgin soils, however severe, cannot and does not entirely kill grain-growing in the less favored regions of the East, largely because of the greater proportion in which the grain refuse is utilized in the East by feeding and in the use of the manures so produced. . . .

In the fourth place, American grain production, especially that of corn, is intimately related to meat production, and this phase of the question, although very old, is just now attracting renewed and very great attention. As early as the middle of the last century, and probably earlier, it was the custom to feed animals on corn in New York and in the New England states and ship them to the West India Islands. But it is only since the modern methods of the transportation of live and dead meat have been devised that American animal production has assumed the enormous commercial importance that it now has. The American meat product and hog product is most intimately connected with our corn production. It is safe to say that 90 per cent. of the hog production of the West is fattened on Indian corn, and pork, lard, beef, etc., are the concentrated product for transportation.<sup>32</sup>

<sup>32</sup> Brewer's *Report on the Cereal Production of the United States*, p. 151, in the *Tenth Census of the United States*, 1880, Vol. III.

By 1880 a great cereal and live stock kingdom had been founded in the North Central region of the United States, upon which the East and the South and the countries of Western Europe had to a large extent become dependent. These considerations help to explain the rapidity with which these two lines of production marched westward in the conquest of the great agricultural empire of the Mississippi Valley. This movement is further shown by a study of the ten leading corn producing States for the three census periods from 1880 to 1910, inclusive.

The decade of the eighties witnessed a further shifting of the area of corn production in the North Central region, especially into the West North Central section. It will be seen by Table VI showing the ten leading corn producing States in 1889 that Iowa had now advanced to first place, thus superseding Illinois which had dropped to second place. Kansas advanced from sixth to third place and

TABLE VI

TEN LEADING CORN PRODUCING STATES IN 1889 <sup>33</sup>			
RANK	STATES	BUSHEL	PER CENT OF ENTIRE CORN CROP
1	Iowa	313,130,782	14.8
2	Illinois	289,697,256	13.7
3	Kansas	259,574,568	12.2
4	Nebraska	215,895,996	10.2
5	Missouri	196,999,016	9.3
6	Ohio	113,892,318	5.4
7	Indiana	108,843,094	5.1
8	Kentucky	78,434,847	3.7
9	Texas	69,112,150	3.3
10	Tennessee	63,635,350	3.0

<sup>33</sup> These statistics are taken from the *Twelfth Census of the United States*, 1900, Vol. VI, p. 80.

Nebraska advanced from eighth to fourth place, while Missouri dropped from third to fifth place, Ohio from fifth to sixth place, Indiana from fourth to seventh place, and Kentucky from seventh to eighth place. Texas which had entered the list of the ten leading corn producing States in 1869 and then dropped out in 1879 now reëntered the list as the ninth State. Tennessee dropped from ninth to tenth place, while Pennsylvania dropped out altogether.

The ten leading corn producing States in 1889 produced 80.7 per cent of the entire corn crop of the nation. The South Central States of Kentucky, Tennessee, and Texas produced 10 per cent of the crop. The East South Central States of Kentucky and Tennessee produced 6.7 per cent of the crop, while Texas produced 3.3 per cent. The seven North Central States of Ohio, Indiana, Illinois, Iowa, Missouri, Kansas, and Nebraska, properly designated as "the corn belt States", contributed 70.7 per cent of the entire crop. Whereas the three East North Central States in 1879 produced 31.6 per cent of the entire crop, in 1889 the percentage contributed by these States was reduced to 24.2 per cent, while the four West North Central States which in 1879 produced 36.9 per cent of the entire crop now contributed 46.5 per cent of the total product. The center of corn production had meanwhile moved to a point fifty-five miles southwest of Springfield, Illinois.<sup>34</sup>

The westward movement of corn production in the United States was checked in the nineties. This is shown by Table VII giving the ten leading corn growing States in 1899. The list of States composing this list was the same as it was in 1889 with but one exception. Tennessee now dropped out altogether while Oklahoma was added. Nor were there any important changes in the relative

<sup>34</sup> *Twelfth Census of the United States, 1900, Vol. VI, p. 24.*

ranking of these States. Illinois forged ahead again from second to first place, the position which this State had

TABLE VII

TEN LEADING CORN PRODUCING STATES IN 1899 <sup>35</sup>			
RANK	STATES	BUSHEL	PER CENT OF ENTIRE CORN CROP
1	Illinois	398,149,140	14.9
2	Iowa	383,453,190	14.4
3	Kansas	229,937,430	8.6
4	Nebraska	210,974,740	7.9
5	Missouri	208,844,870	7.8
6	Indiana	178,967,070	6.7
7	Ohio	152,055,390	5.7
8	Texas	109,970,350	4.1
9	Kentucky	73,974,220	2.8
10	Oklahoma	68,949,300	2.6

held in 1859, 1869, and 1879, while Iowa was reduced from first to second place, the rank held by this State in 1869 and 1879. Kansas, Nebraska, and Missouri attained third, fourth, and fifth place respectively. Indiana advanced from seventh to sixth place, thus superseding Ohio which was now reduced to seventh place. Texas advanced from ninth to eighth place, thus superseding Kentucky which was reduced to ninth place. Oklahoma now entered the list as the tenth State, thus superseding Tennessee which, as already stated, dropped out of the list altogether.

The ten leading corn producing States in 1899 contributed 75.5 per cent of the entire corn crop of the nation. This was 5.2 per cent less than the proportion contributed by these States in 1889. The three South Central States of Kentucky, Oklahoma, and Texas contributed 9.5 per

<sup>35</sup> These statistics are taken from the *Thirteenth Census of the United States*, 1910, Vol. V, pp. 582, 583. Oklahoma includes Indian Territory.

cent of the entire crop, while the seven North Central States of Ohio, Indiana, Illinois, Iowa, Missouri, Kansas, and Nebraska contributed 66 per cent of the entire crop. This was 4.7 per cent less than the proportion contributed by these States in 1889. The three East North Central States of Ohio, Indiana, and Illinois produced 27.3 per cent of the entire crop, which represented 3.1 per cent more than the proportion which they contributed in 1889, while the four West North Central States of Iowa, Missouri, Kansas, and Nebraska produced 38.7 per cent of the entire crop, which represented 7.8 per cent less than the proportion which they contributed in 1889. The decrease in the percentage of corn produced by the West North Central States in 1899 was due to the partial failure of the corn crop in the States of Iowa, Missouri, and Kansas, which in turn explains in part the fact that the center of corn production remained practically stationary, being located at a point fifty-four miles southwest of Springfield, Illinois, which was one mile east of the location of this point in 1889.<sup>36</sup>

During the fifty year period from 1849 to 1899 the center of corn production had moved north from 39° 14' 54" to 39° 19' 33" north latitude—a difference of 4' 39" which amounted to a distance of five miles, while the center of production had moved westward 81° 43' 38" to 90° 27' and 6" west longitude—a difference of 8° 43' 28" which amounted to a distance of practically 480 miles.<sup>37</sup> It will, therefore, be seen that the center of production had moved almost directly westward to a point near the Mississippi River not far from the geographic center of the great agricultural empire of the Mississippi Valley.

The center of corn production had become practically

<sup>36</sup> *Twelfth Census of the United States*, 1900, Vol. VI, p. 24.

<sup>37</sup> *Twelfth Census of the United States*, 1900, Vol. VI, p. 24.

fixed by the close of the century. This is shown by Table VIII giving the ten leading corn growing States in 1909. It will be noted that the States comprising the list of the first ten were the same as at the previous census period, though there were several significant changes in the relative importance of these States. Illinois and Iowa still held first and second places respectively, while Indiana

TABLE VIII

TEN LEADING CORN PRODUCING STATES IN 1909 <sup>38</sup>			
RANK	STATES	BUSHEL	PER CENT OF ENTIRE CORN CROP
1	Illinois	390,218,676	15.3
2	Iowa	341,750,460	13.4
3	Indiana	195,496,433	7.7
4	Missouri	191,427,087	7.5
5	Nebraska	180,132,807	7.1
6	Ohio	157,513,300	6.2
7	Kansas	154,657,103	6.1
8	Oklahoma	94,283,407	3.7
9	Kentucky	83,348,024	3.3
10	Texas	75,498,695	3.0

advanced from sixth to third place thus superseding Kansas which dropped to seventh place. Missouri advanced from fifth to fourth place, while Nebraska dropped from fourth to fifth place. Ohio advanced from seventh to sixth place. Kansas as already noted dropped from third to seventh place, while Oklahoma advanced from tenth to eighth place. Kentucky retained ninth place. Texas dropped from eighth to tenth place.

The ten leading corn growing States in 1909 constituted

<sup>38</sup> These statistics are taken from the *Thirteenth Census of the United States*, 1910, Vol. V, pp. 582, 583.

73.3 per cent of the nation's entire product. This was 2.2 per cent less than the proportion contributed by these States in 1899. The three South Central States of Kentucky, Oklahoma, and Texas contributed 10 per cent of the entire crop, or one-half of one per cent more than the percentage which they produced in 1899. The seven North Central States of Ohio, Indiana, Illinois, Iowa, Missouri, Kansas, and Nebraska contributed 63.3 per cent of the entire crop, or 2.7 per cent less than the proportion which they contributed in 1899. The three East North Central States of Ohio, Indiana, and Illinois furnished 34.1 per cent of the entire crop. The three East North Central States, therefore, constituted 1.9 per cent more of the total corn crop of the nation in 1909 than in 1899, while the four West North Central States contributed 4.6 per cent less than the proportion which they furnished at the previous census period.

The westward movement of corn production in the United States during the half century from 1859 to 1909 is further explained by the fact that whereas the West North Central States in 1859 contributed but 14.9 per cent of the entire crop of the nation, in 1909 these States contributed 39 per cent of the entire product; and whereas the West South Central States in 1859 contributed but 6.1 per cent of the whole crop, in 1909 these States contributed 9.1 per cent of the entire product. The New England, Middle Atlantic, South Atlantic, and East South Central divisions, on the other hand, each showed a substantial decline in their share of the total production of corn in 1909 as compared with 1859, while the East North Central division remained practically unchanged for it contributed about one-third of the entire product at each census period.<sup>39</sup>

<sup>39</sup> *Twelfth Census of the United States*, 1900, Vol. VI, p. 81; *Thirteenth Census of the United States*, 1910, Vol. V, pp. 582, 583.



Finally, the geographic distribution of corn production in 1909 is shown by Table IX, giving the total volume of production and the per cent of the entire product contributed by each of the several divisions of the country. This shows that the West North Central States ranked first with 996,359,000 bushels, or 39 per cent of the entire product. The East North Central section ranked second with 845,298,000 bushels, or 33.1 per cent of the entire product. The West South Central States ranked third with 233,402,000 bushels, or 9.1 per cent of the entire crop. The East South Central States ranked fourth with 210,155,000 bushels, or 8.2 per cent of the entire product. The South Atlantic States ranked fifth with 179,512,000 bushels, or 7 per cent of the whole product. The Middle Atlantic States ranked sixth with 69,611,000 bushels, or 2.7 per cent of the entire crop. The New England States ranked seventh with 8,239,000 bushels or 0.5 per cent of the entire

TABLE IX

GEOGRAPHIC DISTRIBUTION OF CORN PRODUCTION IN THE UNITED STATES IN 1909 <sup>40</sup>		
DIVISION	BUSHEL	PER CENT OF THE ENTIRE CROP
New England	8,238,394	0.5
Middle Atlantic	69,610,602	2.7
East North Central	845,298,285	33.1
West North Central	996,358,997	39.0
South Atlantic	179,511,702	7.0
East South Central	210,154,917	8.2
West South Central	233,402,007	9.1
Mountain	7,326,043	0.3
Pacific	2,288,683	0.1
United States	2,552,189,630	100.

<sup>40</sup> These statistics are taken from the *Thirteenth Census of the United States*, 1910, Vol. V, pp. 582, 583.

crop. The Mountain States ranked eighth with 7,326,000 bushels, or 0.3 per cent of the entire crop. The Pacific States ranked ninth with 2,289,000 bushels, or 0.1 per cent of the entire product.

Further analysis of the returns for 1909 shows that the two North Central sections together contributed 1,841,657,000 bushels which represented 72.1 per cent of the entire corn crop of the nation, while the Southern Central sections together contributed 443,557,000 bushels which represented 17.3 per cent of the entire product. The North and South Central divisions together known as the Central division contributed about 2,285,214,000 bushels, which represented 89.4 per cent of the entire corn crop of the nation. Of the remaining 10.6 per cent, the Atlantic Coast States contributed 10.2 per cent, while the Mountain and Pacific States contributed only four-tenths of one per cent. The Central division had thus become a great corn kingdom furnishing the huge volume of food required for the live stock, dairy, and poultry industries which were developed in this region, not to mention the growing surplus which found its way to the markets of the East and the countries of Europe, which since 1850 had become, to an ever increasing extent, dependent upon the great agricultural empire of the Mississippi Valley for the cereals and animal products which were required to fill the deficits in the home supplies.

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AMES IOWA

## SOME PUBLICATIONS

*The Bozeman Trail.* By Grace Raymond Hebard and E. A. Brininstool. Cleveland: Arthur H. Clark Co. 1922. Vol. I, pp. 346, Vol. II, pp. 306. Maps, plates. No part of the conquest of the North American continent is more full of interest than the extension of the government and civilization of the United States over the far West. These two volumes on the Bozeman Trail contain a fund of information on the struggle with the Indians of the Northwest, the efforts of detachments of American soldiers to safeguard the immigrants and the traders as they passed westward along the Platte River and across the divide, the building of the frontier posts and settlements, and the picturesque and dangerous careers of some of the guides and traders who knew this great thoroughfare perhaps even better than most people know their country roads or city streets.

Among the subjects given a place in these volumes are the following: the Great Medicine Road of the Whites—the trail along the Platte River and across the divide; overland stage and telegraph lines; Fort Laramie; fighting the Indians along the Platte River; Fort Caspar; the Powder River Indian expedition; the Bozeman Trail; Fort Phil Kearney—“The Hated Fort on the Little Piney”; the Fetterman disaster; the “Wagon Box Fight”; reminiscences of Fort Reno; Fort C. F. Smith; Red Cloud; and Jim Bridger.

Numerous illustrations, pictures, portraits, and maps add much to the value of the volumes which are attractively printed and bound. There are footnotes and an index to both volumes is provided in the second volume.

*The Land of the Miamis.* By Elmore Batee. Fowler, Indiana: The Benton Review Shop. 1922. Pp. 422. Plates, maps. Although the title of the volume suggests Indian history, this is in reality a history of the Old Northwest down to William Henry

Harrison's victory at Tippecanoe, especially of the struggle of the pioneers for this territory against the Indians and the English. Written in a popular and readable style, the volume contains a great deal of valuable material on Indian life, the struggle between the Indians and the advancing frontiersmen, and the English influence on the Indians, as the following chapter headings indicate: What the Virginians Gave Us; The Beaver Trade; The Prairie and the Buffalo; The Wabash and the Maumee; The Tribes of the Northwest; Real Savages; Our Indian Policy; The Kentuckians; The British Policies; Josiah Harmar; Scott and Wilkinson; St. Clair's Defeat; Wayne and Fallen Timbers; The Treaty of Greenville; Governor Harrison and the Treaty; The Shawnee Brothers; Prophet's Town; Harrison's Vigilance; The Council at Vincennes; and The Battle of Tippecanoe.

There are no reference notes, though a bibliography is provided. It is rather surprising to note that such a reference as English's *The Conquest of the Country Northwest of the River Ohio* is omitted from the list. An index is also supplied.

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The article on *Anthropology of the Old Americans*, by Aleš Hrdlička, is continued in the *American Journal of Physical Anthropology* for July-September, 1922.

*Progressive Tendencies of State History Teaching*, by Harry L. Haun, and *The Present Status of State History Teaching in the Elementary Grades*, by the same author, are two of the papers in *The Historical Outlook* for December, 1922.

*The Courts of the Southwest*, by C. Perry Patterson, and *The Oklahoma Legislature*, by M. H. Merrill, are two of the papers in *The Southwestern Political Science Quarterly* for September, 1922.

*Contributions to Hopi History*, by Frank Hamilton Cushing, J. Walter Fewkes, and Elsie Clewes Parsons, and *The Medicine Wheel*, by George Bird Grinnell, are two of the articles in the *American Anthropologist* for July-September, 1922.

*The Tariff Act of 1922*, by F. W. Taussig, *The Textile Schedules*

in the *Tariff of 1922*, by Arthur H. Cole, and *Communism Among the Mormons*, by Hamilton Gardner, are three of the articles in the November, 1922, number of *The Quarterly Journal of Economics*.

*America's Race Heritage*, by Clinton Stoddard Burr, is a study of the various racial groups in the United States and the present problems of racial antagonism, immigration, and Americanization. There are, in addition, a large number of footnotes, some valuable statistics, and an index.

Bulletin seventy-six of the Bureau of American Ethnology contains reports of archeological investigations by Gerard Fowke under the following titles: *Cave Explorations in the Ozark Region of Central Missouri*; *Cave Explorations in Other States*; *Explorations Along the Missouri River Bluffs in Kansas and Nebraska*; *Aboriginal House Mounds*; and *Archaeological Work in Hawaii*.

The *Year-Book of the Swedish Historical Society of America* for 1921-1922, contains a paper by Andrew Holt on *Characteristics of the Early Swedish Settlers in Minnesota*, George M. Stephenson writes *Some Footnotes to the History of Swedish Immigration from about 1855 to about 1865*, and there are some *Typical "America Letters"*, relating to Minnesota and Iowa, with the English translations.

Among the articles in *The Journal of American History* for April-June, 1922, are the following: *Hudson County, New Jersey, and the Old Village of Bergen*; *The Man Who Saved Illinois from Slavery*, by J. Stephen Bloore; and *Some Early Banks and New York Politics*—a chapter in the series *A History of Banks and Banking and of Banks and Banking in the City of New York*, by Frank Allaben and W. Harrison Bayles.

Katharine Stanley Nicholson is the author of a volume on *Historic American Trees*, recently published by the Frye Publishing Company, which contains short sketches of a large number of noted American trees. Unfortunately for the historical student, there is no index in the volume and no list of the trees described

so that there is great difficulty in finding the description of a particular tree.

Two of the articles in the issue of *The South Atlantic Quarterly* for October, 1922, are *Coöperative Production and the Economics of Agriculture*, by S. D. Cromer and Bryce Edwards, and *The Election of 1876 in South Carolina*, by Francis B. Simpkins.

*The Story of the Planters*, by Frank A. Gardner, *Indian Descent in New England*, by Nathan E. Truman, *Motoring to Three Manors*, by Helen Hamilton Stockton, *Negro Slavery in New Jersey and New York*, by William Stuart, and *Dutch Buildings, Customs, Habits, Etc.*, by W. W. Scott, are papers and articles in *Americana* for October, 1922.

In addition to the proceedings and various reports, four papers appear in the *Proceedings of the American Antiquarian Society* for October, 1921. These are the following: *The Fortunate Island of Monhegan*, by Charles Francis Jenney; *The Making of the Republic of Vermont*, by James Benjamin Wilbur; *Oaths of Allegiance in Colonial New England*, by Charles Evans; and *A New American Constitution*, by William MacDonald.

*The Cowboy: His Characteristics, His Equipment, and His Part in the Development of the West*, by Philip Ashton Rollins, is one of the new books which presents an intimate and vivid picture of life in the area where the chief industry was the raising of cattle and horses on the open range. The great cattle industry, with its cowboys, herds of cattle, and its round-ups, had in it a large element of the picturesque and romantic—very different from the commonplace farming of the regions to the east and a first-hand study of its problems and its contributions to the history of the western part of the United States is of historical importance.

A series of six volumes dealing with the work of the Red Cross during the World War has recently been published by the Macmillan Company. Three of these—*The American Red Cross in the Great War*, by Henry P. Davison, *The Passing Legions*, by George Buchanan Fife, and *With the Doughboy in France*, by

Edward Hungerford — deal with the activities of the Red Cross in America or with American troops. Three others—*The Story of the American Red Cross in Italy*, by Charles M. Bakewell, *American Red Cross Work Among the French People*, by Fisher Ames, Jr., and *The Little Corner Never Conquered*, by John van Schaick, Jr. — relate to Red Cross work in Europe. All are written in popular, readable style, without reference notes, and only two of the volumes are provided with an index.

#### WESTERN AMERICANA

*Summary of the Archeology of Western Sauk County*, a monograph by H. E. Cole, appears in *The Wisconsin Archeologist* for August, 1922.

*Elements of Culture in Native California*, by A. L. Kroeber, is published as a recent number of the *University of California Publications in American Archaeology and Ethnology*.

Caleb Perry Patterson is the author of a monograph, *The Negro in Tennessee, 1790-1865*, published as one of the bulletins of the University of Texas.

*El Palacio* for October 2, 1922, contains an account of the presentation to the State of New Mexico of the bronze bust of Frank Springer. Mr. Springer was born in Iowa, going to New Mexico in 1873.

*The Story of the North Star State*, by Daniel E. Willard, is written to present the story of the geologic formations and natural resources of Minnesota. It is intended to be used as a textbook in the schools and is therefore popular rather than scientific in style, with numerous illustrations.

*The Transition of a Typical Frontier*, by Wilson Porter Shortridge, is a monograph on western history dealing especially with Minnesota. The illustrations are taken from the life of Henry Hastings Sibley, who as fur trader, Territorial delegate to Congress, and first Governor of the State of Minnesota, represents the

various types of the frontier and at the same time was one of the prominent men of the transition period.

Four of the papers in the October, 1922, issue of *The Quarterly Journal of the University of North Dakota* are the following: *The Care of Dependent Children*, by Henry J. Humpstone; *Some Aspects of Secondary Education in North Dakota* by Benjamin B. C. Tighe; *Economic and Social Background of the University of North Dakota*, by John M. Gillette; and *Improving North Dakota Bar Admission Requirements*, by Lauriz Vold.

In commemoration of its seventieth anniversary, the Chicago, Rock Island and Pacific Railroad issued a special number of *The Rock Island Magazine* containing much valuable historical material. An article by F. J. Nevins, entitled *From Grant to Gorman*, gives many interesting items concerning the first railroad across the State of Iowa, the bridge across the Mississippi River, the early railroad builders in Iowa, and the legal contest over the bridge in which Abraham Lincoln was one of the lawyers. This article was also issued as a separate pamphlet. In addition there are numerous shorter contributions such as *A Pioneer in the West* by Carl Nyquist; *Before the Rock Island Came*, by Fred Francis; an account of the memorial trees; *Lincoln's Defense of the Bridge; Boat Excursion Marked the Arrival of the Rock Island*, by Wm. R. Tibbals; *When the "Iron Horse" Came*, the story of the first train through Iowa; *Interesting Facts of Pioneer Days of Rock Island Railroad*, by H. A. Nutting; *Something of the Early Engines Into Des Moines*, by J. W. Given; *The Spirit of Romance Lives*, by Hamilton Johnson; and *The Rock Island Was the First Railroad in Iowa*, by James J. Hruska.

#### IOWANA

*Luther College Through Sixty Years, 1861-1921*, the story of the college at Decorah, has recently been published by the faculty.

*A Brief History of Public Health Movement*, by Lena A. Beach, is an article of historical interest in *The Journal of the Iowa State Medical Society* for October, 1922.



*The Community Builder*, published by the Fort Dodge Chamber of Commerce, contains a series of articles by John J. Schaffner on the history of Fort Dodge.

A sketch of the life of General James Rush Lincoln, who died on August 4, 1922, is included in *The Alumnus of the Iowa State College* for October, 1922.

*The Iowa Churchman* for December, 1922, contains an account of the celebration of the seventy-fifth anniversary of St. Luke's Church, Fort Madison, written by William Pence James.

The two articles in the *Annals of Iowa* for January, 1922, are: *The Lewis and Clark Expedition in Its Relation to Iowa History and Geography*, continued from the previous number, and *Calvin Webb Keyes, Iowa Centenarian*, by Charles Keyes.

#### SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Allen, Mary Louise,

*Lilacs in Newer Tints* (People's Popular Monthly, November, 1922).

Barrett, Clark,

*The Treatment of Ore at the Anaconda Smelter* (The Transit, November, 1922).

Bartow, Edward,

*World Seeks Key to Sewage Problem* (The Iowa Engineer, December, 1922).

Bond, C. W.,

*Business Aspects of Recreation in Child Life* (Bulletin of State Institutions, April, 1922).

Briggs, John E.,

*The Iowa Primary Interpreted* (National Municipal Review, September, 1922).

*That 1900 Football Team* (The Palimpsest, November, 1922).

*The Sioux City Corn Palaces* (The Palimpsest, October, 1922).

Brockway, James M.,

*Reminiscences of an R. G.* (The Iowa Alumnus, October, 1922).

Brown, Bernice,

*The Big Clumsy Swede* (Hearst's International, August, 1922).

*The Glories of Self-Expression* (The Metropolitan Magazine, October, 1922).

*Miracle* (The Century, August, 1922).

*Second Fiddle* (Delineator, October, 1922).

Brown, Charles Reynolds,

*Honor of the Church.* Chicago: Pilgrim Press. 1922.

*Lincoln, the Greatest Man of the Nineteenth Century.* New York: Macmillan Co. 1922.

Brown, George A.,

*Iowa's Consolidated Schools.* Des Moines: Department of Public Instruction. 1922.

Bush, Stephen H.,

*Old Northern French Loan-Words in Middle English* (Philological Quarterly, July, 1922).

Butler, Ellis Parker,

*Get Into the Right Rut, Then Stay There* (The American Magazine, August, 1922).

*Judge Hooper Stories* (Independent, July 22, August 5, 19, September 16, 30, 1922).

Cameron, Eleanor,

*America* (People's Popular Monthly, November, 1922).

*Happyland's Fairy Grotto Plays.* Chicago: Houghton Mifflin Co. 1922.

Canaday, Elizabeth,

*Lanterns in the Dusk* (People's Popular Monthly, December, 1922).

Chandler, Sidney L.,

*The Sociological Strain of the Present Crisis* (Bulletin of State Institutions, April, 1922).

Colegrove, Kenneth Wallace,

*American Citizens and Their Government.* New York: Abingdon Press. 1922.

Craig, Hardin,

*The University of Padua* (The Iowa Alumnus, November, 1922).

Crawford, Nelson Antrim,

*The American Newspaper and the People* (The Nation, September 13, 1922).

*Democracy Diagnosed* (The Dial, August, 1922).

*Education for Journalism* (The Iowa Alumnus, November, 1922).

*The Indian As He Is* (The Bookman, August, 1922).

Daniel, Hawthorne,

*In Favor of the King.* Garden City, New York: Doubleday, Page & Co. 1922.

Devine, Edward T.,

*Industrial Conflict and the Local Community* (Annals of the American Academy of Political and Social Science, September, 1922).

*Social Work.* New York: Macmillan Co. 1922.

Donohoe, George,

*Neurosyphilis in Railroad Employes* (Bulletin of State Institutions, July, 1922).

Eichinger, J. W.,

*Dubuque Builds New City Entrance* (The Iowa Engineer, October, 1922).

Eldred, Myrtle Meyer,

*Playing Around* (People's Popular Monthly, August, 1922).

- Ensign, Forest C.,  
*Consolidated Schools in Iowa* (The American City, December, 1922).
- Eriksson, Erik McKinley,  
*Sioux City and the Black Hills Gold Rush, 1874-1877* (The Iowa Journal of History and Politics, July, 1922).
- Farr, Clifford H.,  
*The Psychology of Plants* (The Atlantic Monthly, December, 1922).
- Ferber, Edna,  
*Gigola*. New York: Doubleday, Page & Co. 1922.
- Ficke, Arthur Davison,  
*My Princess and In the "Lyric West"* (Scribner's Magazine, December, 1922).  
*Sonnets of a Portrait Painter and Other Sonnets*. New York: M. Kennerly. 1922.
- Fogdall, Soren J. M. P.,  
*Danish-American Diplomacy, 1776-1920*. Iowa City: The State University of Iowa. 1922.
- Frederick, John Towner,  
*Druida*. New York: Alfred A. Knopf. 1922.  
*Middle Western Literary Prospects* (The Iowa Alumnus, October, 1922)
- Gallaher, Ruth Augusta,  
*The Handcart Expeditions* (The Palimpsest, July, 1922).
- Gardner, Nellie E.,  
*Railroad Adventuring in Soviet Russia* (Travel, August, 1922).  
*Soviet Russia Dresses Up* (Travel, September, 1922).  
*A Sub-Conscious Murderer* (Science and Invention, October, 1922).
- Garland, Hamlin,  
*A Pioneer Mother*. Chicago: The Bookfellows. 1922.

Haines, Austin P.,

*Smith W. Brookhart, Dissenter* (The Nation, November 1, 1922).

Haines, Ella Wister,

*New Harness* (People's Popular Monthly, November, 1922).

Hall, James Norman,

*Land Very Far Away* (Woman's Home Companion, November, 1922).

Hanson, Leslie,

*No Cancellation of Foreign Debts Is Possible at the Present Time* (The Northwestern Banker, September, 1922).

*Return of Investment Market to Settled Basis a Healthful Condition* (The Northwestern Banker, July, 1922).

Hart, Hornell Norris,

*Differential Fecundity in Iowa*. Iowa City: The State University of Iowa. 1922.

Hart, Martha,

*Literary Love Song* (Bookman, August, 1922).

Hebard, Grace Raymond, (Joint author)

*The Bozeman Trail*. Cleveland: The Arthur H. Clark Co. 1922.

Hollowell, T. P.,

*Some Iowa Criminal History* (Bulletin of State Institutions, April, 1922).

Hoover, Herbert Clark,

*American Individualism*. Garden City, N. Y.: Doubleday, Page & Co. 1922.

*Some Human Waste of Industry* (The Survey, July 15, 1922).

Hornaday, William Temple,

*Minds and Manners of Wild Animals*. New York: Scribner's Sons. 1922.

Hull, Raymond R.,

*America Finds New Potash Supply* (The Iowa Engineer, December, 1922).

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*A Trip to Herzelia* (East and West, June 30, 1922).

Johnson, Griff,

*What the Farm Mortgage Banker Can Do to Help the Farmer*  
(The Northwestern Banker, July, 1922).

Kerr, Mrs. W. B.,

*His Own Pill* (Woman's Weekly, August 19, 1922).

Keyes, Charles Rollin,

*Biographical Sketch of Calvin Webb Keyes* (Reprinted from  
the Annals of Iowa, January, 1923).

*Scarpita Bronze of Springer* (The Pan-American Geologist,  
October, 1922).

Kinnavey, Mary M.,

*National Journalistic Register* (The Iowa Alumnus, December,  
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*Qualities Related to Success in Teaching.* New York: Columbia  
University. 1922.

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*A Federal Bank of Agriculture* (The Northwestern Banker,  
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*Forty Years of Medicine* (The Nebraska State Medical Journal,  
August, 1922).

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*People Do Love to See Their Names in the Paper* (The American  
Magazine, November, 1922).

Lowrey, Lawson G., (Joint author)

*Psychiatric Analysis of the Children in the State Juvenile  
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Macbride, Thomas H.,

*The Present Status of Iowa Parks.* Iowa City: Privately  
printed. 1922.

McKee, Edd R.,

*Corporation Offers Unique Service* (The Iowa Engineer, December, 1922).

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*The Political Significance of the Pension Question, 1885-1897*  
(The Mississippi Valley Historical Review, July, 1922).

Mahan, Bruce E.,

*The Blue Grass Palace* (The Palimpsest, October, 1922).

*New Mellcray* (The Palimpsest, September, 1922).

*The Passing of a Slave* (The Palimpsest, July, 1922).

*Three Early Taverns* (The Palimpsest, August, 1922).

Marolf, Louis Carl,

*The Wooing of Quimby's Daughters and Other Poems.* Boston: Roxburgh Pub. Co. 1922.

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*Macy Constructs Huge Japanese Dam* (The Iowa Engineer, December, 1922).

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*Next Step in the Organization of Municipal Research* (National Municipal Review, September, 1922).

Mogridge, George,

*Report of National Meeting on Feeble-mindedness* (Bulletin of State Institutions, July, 1922).

Morgan, John J. B., (Joint author)

*Psychiatric Analysis of the Children in the State Juvenile Home* (Bulletin of State Institutions, April, 1922).

Mott, Frank Luther,

*Additional Pioneer Iowa Word List* (Philological Quarterly, October, 1922).

*John G. Neihardt and His Work* (The Midland, November, 1922).

*A Word-List from Pioneer Iowa and an Inquiry into Iowa Dialect Origins* (Philological Quarterly, July, 1922).

Newcomb, Harold H.,

*A Study of the Railroad Commission in the State of Iowa*  
(Iowa Law Bulletin, November, 1922).

Newman, Oliver Peck,

*Who'll Elect the Next President* (Collier's Weekly, December 16, 1922).

Nutting, Charles C.,

*Iowans Visit the Antipodes* (The Iowa Alumnus, October, 1922).

Oberlies, L. C.,

*Specks in the Gravy* (Bulletin of State Institutions, April, 1922).

Parish, John Carl,

*Iowa in the Days of Lucas* (The Palimpsest, August, 1922).

*Liquor and the Indians* (The Palimpsest, July, 1922).

*Robert Lucas* (The Palimpsest, August, 1922).

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*A Typical Iowa Pioneer Community* (The Iowa Journal of History and Politics, July, 1922).

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*Minnie* (The Midland, May, 1922).

Parrish, Randall,

*Gift of the Desert*. Chicago: A. C. McClurg & Co., 1922.

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*The Line Fence* (Poetry, October, 1922).

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*County and Township Government in the United States*.  
New York: Macmillan Co., 1922.

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*I Picked My Goal at Ten — Reached It at Sixty* (The American Magazine, October, 1922).

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*Special Verdicts* (Iowa Law Bulletin, November, 1922).



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*Russia's Experiment Analyzed* (The American Review of Reviews, August, 1922).

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*The Social Trend*. New York: Century Co. 1922.

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*The Outlook for the Philippines*. New York: Century Co. 1922.

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*Once Within a Night* (The Iowa Alumnus, December, 1922).

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*How Railroads Adapt Themselves to National Conditions* (Proceedings of the Academy of Political Science in the City of New York, July, 1922).

*Physical Treatment for Mental Disorders* (The American Review of Reviews, December, 1922).

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*The Modern Farm Co-operative Movement*. Des Moines: Homestead Co. 1922.

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*A National Bird Day* (Iowa Conservation, April-June, 1922).

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*Frescoes*. Boston: B. J. Brimmer & Co. 1922.

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*Pansy Eyes*. Chicago: Reilly & Lee. 1922.

Stapp, Emilie Blackmore, (Joint author)

*Happyland's Fairy Grotto Plays*. Chicago: Houghton Mifflin Co. 1922.

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*The Arctic as an Air Route of the Future* (The National Geographic Magazine, August, 1922).

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*The Northward Course of Empire*. New York: Harcourt, Brace & Co. 1922.

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*The Best of the Lot* (Smart Set, November, 1922).

*A Rural Community* (The Midland, July, 1922).

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*Adrian C. Anson* (The Palimpsest, November, 1922).

*History of the Organization of Counties in Iowa* (The Iowa Journal of History and Politics, October, 1922).

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*Commercial Importance of Russia* (American Economic Review, September, 1922).

Thompson, Beryl V.,

*To One Away* (Motion Picture Magazine, August, 1922).

*The Wealth of the World* (Social Progress, December, 1922).

Thorpe, Francis Newton,

*The Essentials of American Government*. New York: Putnam's Sons. 1922.

Ullman, B. L.,

*Roman Coins in Ancient Germany* (Philological Quarterly, October, 1922).

Van der Zee, Jacob,

*The British in Iowa*. Iowa City: The State Historical Society of Iowa. 1922.

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*Institutional Program for the Care of Retarded Children* (Bulletin of State Institutions, April, 1922).

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*Eugenics* (Bulletin of State Institutions, July, 1922).

Von Krog, O. S.,

*Outside In, Inside Out* (Bulletin of State Institutions, July, 1922).

Wallace, Henry C.,

*The Farmers and the Railroads* (Proceedings of the Academy of Political Science in the City of New York, July, 1922).

Wallis, Roland S.,

*City Planning Requires Engineers* (The Iowa Engineer, November, 1922).

Ward, Duren J. H.,

*A Personal Invoice*. Denver: Wayside Press. 1922.

*A Receiver for Civilization*. Boston: Four Seas Co. 1922.

White, W. E.,

*Roads Tested for Tractive Values* (The Iowa Engineer, October, 1922).

Young, Charles E.,

*Marriage in the Contemporary French Drama* (Philological Quarterly, October, 1922).

#### SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

First railroad train in Fairfield in 1858, in the *Fairfield Ledger*, September 1, 1922.

The first trip of a passenger train from Davenport, in the *Waterloo Courier*, September 2, 1922.

The fate of the river steamers, by J. W. Darrah, in the *Burlington Saturday Evening Post*, September 2, 9, and 16, 1922.

The Delicious apple tree on the Hiatt farm, in the *Le Mars Sentinel*, September 5, 1922, the *Creston Plain Dealer*, September 8, 1922, and the *Corning Free Press*, September 9, 1922.

Pella's diamond jubilee, in the *Des Moines Register*, September 5 and 7, 1922, the *Des Moines Capital*, September 6, 1922, the *Des Moines Tribune*, the *Pella Chronicle*, the *Oskaloosa Herald*

and the *Oskaloosa Times*, September 7, 1922, and the *Pella Booster*, September 13, 1922.

Prehistoric bones found near Alden, in the *Iowa Falls Sentinel*, September 6, 1922.

Sketch of the life of Joseph Odren who helped capture Jefferson Davis, in the *Waterloo Courier*, September 6, 1922, and the *Dubuque Herald*, September 10, 1922.

The first murder case in Greene County, in the *Jefferson Bee*, September 6, 1922.

The first State fair, in the *Bloomfield Republican*, September 7, 1922.

Ellis Cutting of Cedar Rapids a survivor of the famous Light Brigade, in the *Greenfield Free Press*, September 7, 1922.

Paschal P. Holmes the oldest settler of Van Buren County, in the *Donnellson Review*, September 8, 1922.

First round trip of steamboat from St. Louis to St. Paul, by Fred A. Bill, in the *Clinton Herald*, September 8, 9, and 11, 1922.

Seventy years of the Rock Island, in the *Burlington Saturday Evening Post*, September 9 and 23, 1922.

The Otis building at Glenwood, in the *Council Bluffs Nonpareil*, September 10, 1922.

Some winters in pioneer times, by Angus K. Campbell, in the *Des Moines Register*, September 11, 1922.

Sketch of the life of Frank F. Dawley, in the *Fort Dodge Messenger* and the *Cedar Rapids Gazette*, September 11, 1922, and the *Cedar Rapids Republican*, September 13, 1922.

Sketch of the life of Mrs. Ambrose Call, in the *Des Moines Register*, September 12, 1922, the *Algona Republican*, September 13, 1922, and the *Algona Advance*, September 14, 1922.

W. D. Eaton and the story of the *Clinton Mirror*, in the *Des Moines Register* and the *Sioux City Journal*, September 12, 1922, the *Clinton Advertiser*, September 13, 1922, the *Wood-*

*bine Twiner*, September 14, 1922, and the *Council Bluffs Nonpareil*, September 15, 1922.

Mastodon's tooth found at Harvey, in the *Cedar Rapids Republican*, September 13, 1922.

An early day fire tragedy in Bristol Township, Greene County, in the *Jefferson Bee*, September 13, 1922.

The story of the *Algona Bee*, in the *Davenport Democrat*, September 14, 1922, the *Coon Rapids Enterprise*, September 15, 1922, and the *Clinton Herald*, September 19, 1922.

The Alex Duncan home and early days in Page and Taylor counties, in the *Council Bluffs Nonpareil*, September 14, 1922.

Early prohibition sentiment in Iowa, in the *Madrid News*, September 14, 1922.

The steamboat landing at Glover's Point near McGregor, in the *Lansing Mirror*, September 15, 1922.

Sketch of the life of Mrs. Anna H. Clarkson, in the *Des Moines Capital*, September 15, 1922, and the *Des Moines Register*, September 17, 1922.

How Iowa got the nickname, "Hawkeye State", in the *Des Moines Tribune*, September 15, 1922.

Sketch of the life of G. G. Rice, pioneer minister, in the *Council Bluffs Nonpareil*, September 17, 1922.

The story of the *Dubuque Visitor's* press, in the *Marshalltown Times Republican*, September 20, 1922, the *Dubuque Herald*, September 22, 1922, the *Charles City Press*, September 23, 1922, and the *Cedar Rapids Republican*, September 23, 1922.

Sketch of the life of Albert Head, in the *Montezuma Republican*, September 21, 1922.

Chief Keokuk and the Indians of Iowa, in the *Keokuk Gate City*, September 21, 1922.

The fiftieth anniversary of Sheldon, in the *Williamsburg Tribune*, September 21, 1922.

- Pioneers of Fayette County, in the *Williamsburg Tribune*, September 21, 1922.
- The Indians in early Clay County, in the *Spencer News-Herald*, September 21, 1922.
- The Underground Railroad station at Clinton, in the *Clinton Advertiser*, September 23, 1922.
- The Clarkson family, by George F. Parker, in the *Des Moines Register*, September 24, 1922.
- The seventieth anniversary of the Rock Island Railroad, in the *Council Bluffs Nonpareil*, September 24, 1922.
- Early history of northwestern Iowa, by A. J. Edwards, in the *Waterloo Courier*, September 29, 1922.
- Samuel S. McGrath, a resident of Boone County for half a century, in the *Boone Pioneer*, October 2, 1922.
- Sketch of the lives of Mr. and Mrs. F. H. Bronson, in the *Hamburg Reporter*, October 5, 1922.
- Recollections of the old river, by Fred A. Bill, in the *Burlington Saturday Evening Post*, October 7, 14, 21, 28, and November 4, 1922.
- When the Rock Island Railroad reached the river, in the *Burlington Saturday Evening Post*, October 7 and 14, 1922.
- Sketch of the life of T. W. Place, master mechanic of the Illinois Central Railroad, in the *Waterloo Courier*, October 9, 1922.
- The Hays family in Grinnell, in the *Grinnell Herald*, October 10, 1922.
- The first railroad in Iowa, in the *Des Moines Tribune*, October 11, 1922.
- An old time teacher's contract, in the *Brooklyn Chronicle*, October 12, 1922.
- Sketch of the life of J. L. Kamrar, in the *Webster City News*, October 13, 1922.

Reminiscences of Burlington forty years ago, by James B. Latimer, in the *Burlington Hawk-Eye*, October 15, 1922.

Sketch of the life of Mrs. Lorene Curtis Diver, in the *Keokuk Gate-City*, October 16, 1922.

Sketch of the life of George G. Rice, in the *Council Bluffs Nonpareil*, October 18, 1922.

Sketch of the life of Mrs. J. T. Remey, in the *Burlington Hawk-Eye*, October 19, 1922.

Sketch of the life of Albert Head, in the *Jefferson Bee*, October 25, 1922, and the *Perry Chief*, October 30, 1922.

Little stories of pioneer days, by N. Tjernagel, in the *Story City Herald*, October 26, 1922.

Early days in Mt. Auburn, in the *Farley Advertiser*, October 26, 1922.

Locating the county seat of Hamilton County, by Harold Andrews, in the *Des Moines Register*, November 1, 1922.

The fiftieth anniversary of Alton, in the *Alton Democrat*, November 4, 1922.

When Marquette and Joliet stopped in Iowa, by Wyman Smith, in the *Muscatine Journal*, November 5, 1922.

Danville claims State's oldest church, in the *Ottumwa Courier*, November 6, 1922, and the *Fairfield Ledger*, November 12, 1922.

A former slave at Denmark, in the *Burlington Gazette*, November 6, 1922.

Sketch of the life of John C. Bonwell, in the *Audubon Representative*, November 9, 1922.

Sketch of the life of Mrs. Sophia Lotts, the survivor of four wars, in the *Cedar Falls Record*, November 9, 1922, and the *Cedar Rapids Gazette*, November 17, 1922.

The founding of Pella, in the *Williamsburg Tribune*, November 9, 1922.

Sketch of the life of Samuel Jones, in the *Centerville Iowegian*, November 11, 1922.

The story of Theophile Bruguere, in the *Sioux City Journal*, November 15, 1922.

Hiram Redding, a Chickasaw County pioneer, in the *New Hampton Tribune*, November 15, 1922.

Early days in Iowa, by C. C. Pugh, in the *Afton Star-Enterprise*, November 16, 1922.

Items from an old Pella newspaper, in the *Pella Chronicle*, November 16, 1922.

Some incidents concerning black walnut trees and lumber, by C. L. Lucas, in the *Madrid News*, November 16, 1922.

Sketch of the life of H. C. Owen, in the *Spirit Lake Beacon*, November 17, 1922.

The legend that Sarah Bernhardt was a resident of Rochester, by Laura Lou Brookman, in the *Des Moines Register*, November 19, 1922.

Turkey days on the Turkey River, by Florence L. Clark, in the *Chariton Leader*, November 21, 1922.

Old buildings along the river at Cedar Rapids, in the *Cedar Rapids Gazette*, November 22, 1922.

Reminiscences of Centerville, by Mrs. Mahlon Hibbs, in the *Centerville Iowegian*, November 22, 1922.

Sketch of the life of Judge William Theophilus, in the *Davenport Democrat*, November 23, 1922.

Early business men of Lone Tree, in the *Lone Tree Reporter*, November 23, 1922.

The Sac and Fox Indians in Iowa, in the *Lone Tree Reporter*, November 23, 1922.

Early days in Johnson County, in the *Lone Tree Reporter*, November 23, 1922.



John Gilbert said to be first white man in Johnson County, in the *Lone Tree Reporter*, November 23, 1922.

The first settlement of North Tama, by John S. Hopkins, in the *Traer Star-Clipper*, November 24 and December 1, 1922.

Jeremiah H. Carl, pioneer police judge, in the *Muscatine Journal*, November 24, 1922.

Jones County's pioneers of 1845, in the *Dubuque Herald*, November 26, 1922.

Sketch of the life of Park W. McManus, in the *Davenport Times*, November 29, 1922.

A. C. Ferguson, Sabula's oldest pioneer, in the *Sabula Gazette*, November 30, 1922.

Sketch of the life of Cornelius Scott, in the *Manchester Press*, November 30, 1922.

George S. Myers tells of early experiences on the railroad, in the *Waterloo Tribune*, December 1, 1922.

Sketch of the life of Mrs. Elizabeth Starr, in the *Waterloo Courier*, December 1, 1922.

Iowans in California, in the *Des Moines Register*, December 3, 1922.

Sketch of the life of Robert Copeland, in the *Independence Conservative*, December 6, 1922.

Sketch of the life of William D. Boyd, in the *Marshalltown Times-Republican*, December 6, 1922.

Pioneer days in Osceola County, in the *Sibley Gazette*, December 7, 1922.

Sketch of the life of Walter Carpenter, in the *Iowa Falls Citizen*, December 8, 1922.

Residence of Bernhart Henn is now Ewing Hall, Parsons College, in the *Fairfield Ledger*, December 11, 1922.

Whiskey smuggling in 1830, in the *Sioux City Journal*, December 12, 1922.

- Estes house at Keokuk used as Civil War hospital, in the *Cedar Rapids Gazette*, December 12, 1922.
- Sketch of the life of J. E. Goodrich, in the *Cedar Rapids Republican*, December 14, 1922.
- An Iowan's recollection of Jesse James, in the *Des Moines Register*, December 17, 1922.
- Centerville, home of the world's greatest jockeys, by Harold Andrews, in the *Des Moines Register*, December 17, 1922.
- Reminiscences of Emmet County, in the *Estherville Enterprise*, December 20, 1922.
- The post marking a point on Iowa-Minnesota boundary, in the *Decorah Journal*, December 20, 1922, and the *Lenox Time-Table*, December 21, 1922.
- Early settlers in Story County, in the *Slater News*, December 20, 1922.
- Sketch of the life of Horace Boies, in the *Cascade Pioneer*, December 21, 1922.
- Hazleton pioneers, in the *Independence Journal*, December 21, 1922.
- Sketch of the life of A. J. Barkley, in the *Boone News*, December 23, 1922.
- Reminiscences of Davenport, by W. H. Hitchcock, in the *Davenport Democrat*, December 24, 1922.
- Sketch of the life of Ira J. Alder, in the *Des Moines Register*, December 26, 1922.
- John M. Howrey, last of Spring Creek's pioneer settlers, in the *Waterloo Courier*, December 27, 1922.
- "Happy New Year" when Des Moines was young, by Laura Lou Brookman, in the *Des Moines Register*, December 31, 1922.

## HISTORICAL SOCIETIES

### PUBLICATIONS

*Prize Essays Written by Pupils of Michigan Schools in the Local History Contest for 1920-21* has been issued as Bulletin No. 15 by the Michigan Historical Commission.

*The Pennsylvania Magazine of History* for October, 1922, contains the first installment of *George Croghan and the Westward Movement, 1741-1782* by A. T. Volwiler. *The Second Troop Philadelphia Cavalry* is continued in this number.

The July-September, 1922, issue of *The Quarterly Publication of the Historical and Philosophical Society of Ohio* contains the fifth installment of the military papers of John Stites Gano.

*The Catholic Historical Review* for October, 1922, contains, among others, an article on *The Study of Church History*, by Thomas J. Shahan, and one on *Opportunities in Historical Fiction*, by Michael Williams.

*Grant's Boyhood and Early Manhood*, an extract from an address by Frank H. Jones, is printed in the *Chicago Historical Society Bulletin* for November, 1922. *Cahokia Mound Park*, by Caroline M. McIlvaine, is one of the short items in the issue for December, 1922.

In addition to the reports, the *Proceedings of the Seventeenth Annual Conference of Historical Societies* for 1921 contains an article by Newton D. Mereness on *Material in Washington of Value to the States*, and one by Theodore C. Pease on *Historical Materials in the Depositories of the Middle West*.

The Indiana Historical Commission has begun the publication of the messages and letters of the governors of Indiana. The first volume contains *Messages and Letters of William Henry Harrison*,

edited by Logan Esarey. This constitutes volume seven in the *Indiana Historical Collections*.

*Alexander McNair*, by Walter B. Stevens, *The Grand River Country*, by E. W. Stephens, *A True Story of the Border War*, by B. F. Blanton, and continuations of *The Followers of Duden*, by William G. Bek, *Pioneer Life in Southwest Missouri*, by Wiley Britton, and *Shelby's Expedition to Mexico*, by John N. Edwards, are the six articles in *The Missouri Historical Review* for October, 1922.

*English Convicts in the American Army in the War of Independence*, by E. Alfred Jones, *Judge Symmes on Indian Hostilities*, *Witches in New Jersey*, by Joseph Fulford Folsom, and a continuation of *A Young Man's Journal of 1800-1813* are four of the articles in the *Proceedings of the New Jersey Historical Society* for October, 1922.

*Conservation in New York State*, by C. R. Pettis, *The Pulteney Purchase*, by Paul D. Evans, and *Surrogates' Courts and Records in the Colony and State of New York, 1664-1847*, by Royden Woodward Vosburgh, are the three articles in the April, 1922, issue of *The Quarterly Journal of the New York State Historical Association*. *History of the Regulation of Public Service Corporations in New York*, by Martin S. Decker, *The History of Fort Ticonderoga*, by Helen Ives Gilchrist, *Women of New York State in the Revolution*, by Amelia Day Campbell, and *Anxious Moments in Frontier History*, by R. Bruce Taylor, are the four articles in the issue for July, 1922.

The three articles in *The American Historical Review* for July, 1922, are the following: *Science at the Court of the Emperor Frederick II*, by Charles H. Haskins; *The Development of Metropolitan Economy in Europe and America*, by N. S. B. Gras; and *Slidell and Buchanan*, by Louis M. Sears. In the issue for October, 1922, are the following: *The International State of the Middle Ages: Some Reasons for Its Failure*, by August C. Krey; *The Secretary of State for the Colonies, 1768-1782*, by Arthur H.

Basye; *The American Grain Trade to the Spanish Peninsula, 1810-1814*; and *Seward's Far Eastern Policy*, by Tyler Dennett.

*The Colonists of William Penn*, by Marcia B. Bready, *Education in Western Pennsylvania, 1850-1860*, a paper by Florence E. Ward, *Earlier Lawrenceville*, by Edward M. McKeever, *Reminiscence of Pittsburgh*, by Morgan Neville, *Virginia*, a poem by Mary Johnston, and *General John Gibson*, by John B. Gibson, are the contributions to the *Western Pennsylvania Historical Magazine* for October, 1922.

*The Right to Live: Will the State Protect It or Must We Rely Upon Federal Authority*, a paper by Andrew J. Cobb, *Development of Agriculture in Upper Georgia from 1890 to 1920*, by Roland M. Harper, and *Howell Cobb Papers*, edited by R. P. Brooks, are three of the articles in *The Georgia Historical Quarterly* for September, 1922.

*Early Normal Schools, Ascension Seminary*, by John C. Chaney, *Indiana Primary Laws*, by J. F. Connell, a continuation of *Crawford County*, by H. H. Pleasant, *The Deportation of the Pottawattamies* by B. F. Stuart, and another section of *The Know-nothing Party in Indiana*, by Carl Brand, are the articles included in the *Indiana Magazine of History* for September, 1922.

*Centennial Anniversary of the Birth of Ulysses S. Grant*, by C. B. Galbreath, *Catherine Gougar*, by Frank Warner, and *Ohio and Western Expansion*, by Willis Arden Chamberlin, are the articles in the July, 1922, issue of the *Ohio Archaeological and Historical Quarterly*. The four articles in the issue for October, 1922, are the following: *The McGuffey Society at Logan Elm*; *Marion Centennial Celebration*, by J. Wilbur Jacoby; *The Story of a Flag*, by J. Warren Keifer; and *Exploration of the Mound City Group*, by William C. Mills. There is also a report of the thirty-seventh annual meeting of the Ohio Archaeological and Historical Society held at Columbus on September 9, 1922.

Volume seventy-five of the *Massachusetts Historical Society Collections* contains a list of over thirty-four hundred broadsides,

ballads, and similar papers printed in Massachusetts between 1639 and 1800. Some of the illustrations are copied, but for the most part a few lines of explanation are all that can be given.

*Early Development of Railroads in the Pacific Northwest*, by C. J. Smith, *Newspapers of Washington Territory*, by Edmond S. Meany, *Van Ogle's Memory of Pioneer Days, Oregon-River of the Slaves or River of the West*, by J. A. Meyers, and an installment of Edmond S. Meany's *Origin of Washington Geographic Names* are the articles in *The Washington Historical Quarterly* for October, 1922.

*Mazureau's Oration on Mathews*, by Henry Plauché Dart, *George Mathews — President of the Supreme Court of Louisiana*, by Etienne Mazureau, and *Discourse on the Life and Character of the Hon. George Mathews*, by Chas. Watts, are the three articles in *The Louisiana Historical Quarterly* for April, 1921.

The double number of the *Journal of the Illinois State Historical Society* for April-July, 1921, contains the following articles: *A History of the Birds of Illinois*, by T. E. Musselman; *Lincoln as I Knew Him*, by Charles S. Zane; *Abraham Lincoln in Congress, 1847-1849*, by Charles O. Paullin; *The Pioneers of Macon County*, by N. M. Baker; *Pioneer Days in Coles County, Illinois*, by Mrs. Joseph C. Dole, and *A Brief History of David McCoy and Family*, by Edwin H. Van Patten.

Two volumes of *Michigan Bibliography*, by Floyd B. Streeter, have recently been distributed by the Michigan Historical Commission. The volumes cover the titles of printed materials, maps, and atlases relating directly to Michigan in the Library of Congress, the Detroit Public Library, the Grand Rapids Public Library, the Michigan State Library, the General Library of the University of Michigan, experiment station bulletins in the Library of the Michigan Agricultural College, maps in the Port Huron Public Library and the Library of the State Historical Society of Wisconsin, and the manuscripts materials in the Burton Historical Collection. Volume I contains the list of books and pamphlets; Volume II has the list of maps, atlases, and manuscripts

and a comprehensive index which obviates the necessity of printing titles more than once in the lists. In all a total of 8643 titles are listed, which, with the index, make an unusually valuable contribution to researchers in State history.

*The Wisconsin Magazine of History* for June, 1922, contains four articles: *Marshall Mason Strong, Racine Pioneer*, by Eugene Walter Leach; *The First Traders in Wisconsin*, by Louise Phelps Kellogg; *Memories of a Busy Life*, by Charles King; and a tenth installment of *Historic Spots in Wisconsin*, by W. A. Titus, the subtitle being *The Lost Village of the Mascouten*. The September number contains the following papers and articles: *Memories of a Busy Life: The War with Spain*, by Charles King; *Incidents in the Early History of the Wisconsin Lead Mines*, by D. J. Gardner; *Platteville in its First Quarter Century*, by Truman O. Douglass; *Personal Recollections of Platteville*, by Maria Greene Douglass; and *By the Waters of Turtle Lake*, by Angie Kumlien Main. Under the heading *Documents* there is a *Diary of a Journey to Wisconsin in 1840*, and a *Letter of Senator James Rood Doolittle*. Joseph Schafer is the author of a study in Wisconsin history on *The Yankee and the Teuton in Wisconsin* which appears in the number for December, 1922. Samuel Plantz contributes an historical sketch on *Lawrence College*, there is a fourth installment of *Memories of a Busy Life*, by Charles King. Louise P. Kellogg writes of *The Electric Light System at Appleton*, and Doane Robinson contributes a paper on *Beaver Creek Valley, Monroe County*, and there is a second installment of a *Diary of a Journey to Wisconsin in 1840*, kept by Frederick J. Starin.

Bulletin No. 28 of the *Publications of the North Carolina Historical Commission* contains the *Proceedings of the Twentieth and Twenty-first Annual Sessions of the State Literary and Historical Association of North Carolina*. Among the papers included are: *Vitality in State History*, an address by J. G. deR. Hamilton; *The Historian and the Daily Press*, by Gerald W. Johnson; *An Old Time North Carolina Election*, by Louise Irby; and *The Bread and Butter Aspect of North Carolina History*, by D. D. Carroll.

A second installment of *The Indian Policy of the Republic of*

*Texas*, by Anna Muckleroy, *Some Aspects of the History of West and Northwest Texas Since 1845*, by R. C. Crane, *Life and Service of John Birdsall*, by Adele B. Looscan, and more of *The Bryan-Hayes Correspondence*, edited by E. W. Winkler, are the articles in the July, 1922, number of *The Southwestern Historical Quarterly*. The number for October, 1922, contains the first installment of *The History of a Texas Slave Plantation*, by Abigail Curlee; Anna Muckleroy contributes a second chapter of *The Indian Policy of the Republic of Texas*; and there is a continuation of *The Bryan-Hayes Correspondence*, edited by E. W. Winkler.

Two of the papers in *The Virginia Magazine of History and Biography* for October, 1922, are the following: *Proposal for a Virginia Historical Society, 1824*, by John Holt Rice; and *Western Explorations in Virginia*, by Fairfax Harrison. There are also continuations of the *Virginia Quit Rent Rolls, 1704*, *Minutes of the Council and General Court*, and *Virginia State Troops in the Revolution*.

*The Filson Club and Its Activities, 1884-1922*, by Otto A. Rothert, has recently been published as No. 32 of the *Filson Club Publications*. The Filson Club, organized in 1884, has been one of the most active historical associations and the long list of papers and publications, presented in this volume, show that its life has had concrete results.

*The Big Sandy Valley*, by Willard Rouse Jillson, *Captain James Harrod's Company*, by Lucien Beckner, *The Quarles Family and Their Woodford County Connections*, by Wm. E. Railey, *Captain Lewis Rose*, by Carrie W. Van Arsdell, and *James Guthrie — Kentuckian, 1792-1869*, by Robert S. Cotterill, are among the articles and papers in *The Register of the Kentucky State Historical Society* for September, 1922. There is also an account of the celebration of Boone Day and the meeting of the Kentucky Historical Society on June 7, 1922.

Among other papers and articles in the *Illinois Catholic Historical Review* for April, 1922, are the following: *Catholic Education in Illinois*, by Helen M. Larkin; *Points in Illinois History* —



*A Symposium*, by Lawrence J. Kenny; *The Early Days of St. Joseph's College, Bardstown, Kentucky*, by W. J. Howlett; *The Illinois Part of the Diocese of Vincennes*, by Joseph J. Thompson; and *Notre Dame — Antecedents and Development*, by Harry W. Flannery.

*Propaganda as a Source of American History*, by F. H. Hodder, *The Political Significance of the Pension Question, 1885-1897*, by Donald L. McMurtry, and *The Federal Indian Policy in California, 1846-1860*, by William H. Ellison, are the three papers which appear in the June, 1922, issue of *The Mississippi Valley Historical Review*. Under the heading *Notes and Documents* is *A Typical "American Letter"*, by Gjert Gregoriussen Hovland, and *The Mohegan Indians: A Communication*, by George A. Wood. *The Fifteenth Annual Meeting of the Mississippi Valley Historical Association*, by Louis Pelzer, *Religious Conceptions of the Modern Hurons*, an address by William E. Connelley, and *Federal Operation of Southern Railroads During the Civil War*, by R. E. Riegel, are the three articles in the number for September. Under the *Notes and Documents* there is a letter from Nathaniel Lyon concerning the St. Louis arsenal in the days of 1861, with an introduction by Grace Lee Nute.

Volume eleven of the *South Dakota Historical Collections* contains in addition to the reports of the State Department of History, a number of papers and articles. One of these is the *Report of Lieutenant G. K. Warren, Topographical Engineer of the "Sioux Expedition," Of Exploration in the Dacota Country, 1855*. Another long paper is the biographical sketch, *Basil Clement (Claymore)*, by Charles Edmund DeLand. Other articles are: *A Brief History of Convict Labor in South Dakota*, by Frank T. Stockton; *Recollections of Ft. La Ramboise in 1862 and the Rescue of the Chetak Captives*, by Charles P. Barbier; *Reminiscences of Henry Lewis Jones*, by Burt L. Hall; *The Last Buffalo Hunt*, by Thomas L. Riggs; *Newspapers of South Dakota; Opening of the Rosebud Reservation, S. D. 1904*; and *Historical Sketch of Union County, South Dakota*.

*How White Lake Was Named*, by Kenneth G. Smith, *Rix Robinson, Fur Trader*, by Mary F. Robinson, *Incidents of Pioneer Life*, by Alzina Calkins Felt, *Peter White*, by James Russell, *Assinins and Zeba*, by Francis Jaeger, *Ho! Gobebe County!*, by Charles R. Cobb, *My Early Days in Hastings*, by M. L. Cook, *Mary F. Thomas, M. D., Richmond, Ind.*, by Pauline T. Heald, *Benton Harbor College and Its President, Dr. George J. Edgecumbe*, by Victoria C. Edgecumbe, *Source Material of the Detroit Public Library as Supplied by the Acquisition of the Burton Historical Collection*, by L. O. W., *Historical Work in Michigan*, by Alvah L. Sawyer, *What About Michigan Archeology?*, by Geo. R. Fox, *Dutch Journalism in Michigan*, by Henry Beets, *How We Got the R. F. D.*, by J. H. Brown, and *Railroads of Delta County*, by F. H. Van Cleve, are articles and papers in the *Michigan History Magazine* for April and July, 1922.

## ACTIVITIES

Alfred Proctor James is the new editor of the *Western Pennsylvania Historical Magazine*, Charles W. Dahlinger having resigned.

The Western Reserve Historical Society has recently issued its annual report as *Publication No. 104*.

The sixteenth annual meeting of the Mississippi Valley Historical Association will be held at Oklahoma City, Oklahoma, on March 29 to 31, 1923.

The seventy-fourth annual meeting of the Minnesota Historical Society was held at St. Paul on January 15, 1923. On the program was a luncheon to celebrate the enrollment of one thousand active members. The annual address on "The Struggle for the Admission of Minnesota to the Union" was read by William F. Folwell. Other papers listed are "The Nelson-Kindred Campaign of 1882", by Elmer E. Adams, "James Dickson, A Filibuster in Minnesota in 1836", by Grace Lee Nute, and "The Location of Radisson's 'Fort', 1660", by Arthur T. Adams.

## THE STATE HISTORICAL SOCIETY OF IOWA

Two volumes on *The Red Cross in Iowa*, by Earl S. Fullbrook, have recently been published by The State Historical Society of Iowa and will soon be distributed. These volumes are a part of the series entitled *Chronicles of the World War* and deal with the contributions of Iowa to the Red Cross in money and services.

Several hundred volumes from the library of the late J. W. Rich have recently come into the possession of The State Historical Society of Iowa. Mr. Rich was formerly librarian of the State University Library and served for a number of years as a member of the Board of Regents of the State University of Iowa. For many years he was a member of the Board of Curators of The State Historical Society — a position he was still holding at the time of his death on June 12, 1920.

The following persons have recently been elected to membership in the Society: Mr. Joseph N. Beck, Remsen, Iowa; Mr. T. P. Breheny, Atlantic, Iowa; Mrs. Freeman Davis, Moulton, Iowa; Dr. J. C. Esser, Remsen, Iowa; Mrs. C. L. Hartinger, Iowa Falls, Iowa; Mr. Elmer M. Houg, Clermont, Iowa; Mr. B. F. Hull, Madrid, Iowa; Mr. N. E. Isaacs, Thompson, Iowa; Mrs. Fred J. Jarvis, Oskaloosa, Iowa; Mr. Fred D. Mason, Fairfield, Iowa; Mr. L. M. Michelsen, Clinton, Iowa; Mr. Forrest A. Miller, Iowa City, Iowa; Mr. Donald R. Murphy, Des Moines, Iowa; Mr. Kenneth C. Peterson, Ames, Iowa; Mr. T. M. Rasmussen, Exira, Iowa; Mr. M. N. Richardson, Davenport, Iowa; Mrs. C. Van Epps, Iowa City, Iowa; Mr. Louis M. Van Loh, Iowa City, Iowa; Mr. R. S. Whitley, Clinton, Iowa; Mr. C. F. Besore, Jr., Holstein, Iowa; Mr. Frank P. Butler, Rippey, Iowa; Mr. Miller Christiansen, Rippey, Iowa; Mr. Paul W. Dixon, Ida Grove, Iowa; Mr. W. C. Edson, Storm Lake, Iowa; Mr. P. A. Emery, Tennant, Iowa; Dr. A. P. Fankhauser, Pella, Iowa; Mr. Frederick Fischer, Shenandoah, Iowa; Mr. J. P. Gallagher, Williamsburg, Iowa; Mr. F. B. Gilbert, State Center, Iowa; Mrs. Fred P. Hartsook, Winterset, Iowa; Mr. Geo. Judisch, Ames, Iowa; Mr. L. A. Kieren, Alta Vista, Iowa; Mr. C. F. Letts, Ainsworth, Iowa; Mr. Ernst Lieberknecht, Letts,

Iowa; Mr. R. L. Mantz, Cedar Rapids, Iowa; Mr. J. M. Ramsey, Clarksville, Iowa; Mr. J. O. Shaff, Camanche, Iowa; Mrs. Geneva M. Simmons, Fairfield, Iowa; Mr. Henry Traxler, Clarinda, Iowa; Mr. Warren L. Wallace, Cedar Falls, Iowa; Rev. J. J. Zeyen, Alta Vista, Iowa; Mr. U. S. Baxter, Ida Grove, Iowa; Mr. Paul N. Clark, Cedar Rapids, Iowa; Dr. E. J. Cole, Woodbine, Iowa; Mr. Arthur M. Compton, Clinton, Iowa; Mr. Eugene Judson Curtis, Clinton, Iowa; Mr. George Lewis Curtis, Clinton, Iowa; Mr. H. A. Dwelle, Mason City, Iowa; Mr. W. D. Eaton, Burlington, Iowa; Mr. H. R. Elrod, Sac City, Iowa; Mr. Mathew R. Faber, Remsen, Iowa; Mr. Walker D. Hanna, Burlington, Iowa; Mr. W. H. Hospers, Orange City, Iowa; Mr. Fred Levens Hutchins, Sioux City, Iowa; Mr. Chevalier J. Junkin, Kew Garden, New York; Mr. Frank P. Kessler, Sac City, Iowa; Miss Maude Lasher, Jefferson, Iowa; Mr. Gerald E. Lyons, Cresco, Iowa; Mr. Geo. E. Miller, Harlan, Iowa; Mr. Stanley C. Moore, Cedar Rapids, Iowa; Mr. John W. Murphy, Burlington, Iowa; Mr. A. G. Neal, Sac City, Iowa; Mr. Oliver P. Petty, Clinton, Iowa; Mr. Geo. W. Potts, Fort Madison, Iowa; Mr. Paul N. Robson, Seranton, Iowa; Mr. Frank C. Sampson, Audubon, Iowa; Mr. I. N. Snook, West Point, Iowa; Mr. F. C. Waples, Cedar Rapids, Iowa; and Mr. LeRoy E. Yeager, Bellevue, Iowa. Mr. Sam D. Pryce of Iowa City, Iowa, has been enrolled as a life member.

## NOTES AND COMMENT

The twenty-fifth annual convention of the League of Iowa Municipalities was held at Clinton on August 15th to 17th, 1922.

A meeting of old settlers of Buena Vista County was held at Storm Lake, on October 9, 1922. An exhibit of relics was a feature of the assembly which was under the auspices of the Daughters of the American Revolution.

The Tama County old settlers' association met at Oak Park on September 4, 1922. Addresses were made by H. O. Pratt, Fred W. Ingersoll, W. A. Dexter, J. B. Tims, C. E. Walters, and A. E. Jackson. The following officers were elected: John N. Lichty, president; Mrs. Gazelle Rogers, secretary; and E. A. Benson, treasurer.

Preliminary plans have been made for the organization of an old settlers' association of Emmet County. The temporary officers are G. C. Allen, president; A. O. Peterson, secretary; and E. H. Hanson, treasurer. One of the aims of the founders of the association is the preservation of Fort Defiance which still exists some twelve miles from Estherville.

The Vicksburg National Military Park Commission desires a bronze statue of Samuel J. Kirkwood, Iowa's war Governor, as a monument to him and to the Iowa soldiers who participated in the Vicksburg campaign and siege. The statue, if provided, will be placed in the Vicksburg National Military Park.

Efforts are being made by the Daughters of the American Revolution of Prairie du Chien, Wisconsin, to preserve the remains of old Fort Crawford established in 1816.

The thirty-second annual meeting of the Iowa Library Association was held at Cedar Rapids on October 23-25, 1922. Mrs. Cora Wilson Stewart spoke on "The Campaign against Illiteracy";

Edwin Ford Piper gave an address on "Recent Poetry"; J. G. Mitchell spoke on "County Libraries"; and Irving B. Richman talked on the subject "The Newer Treatment of History". The president's address, by William F. Riley, is printed in the *Iowa Library Quarterly* for October-December, 1922. The following officers were chosen for the ensuing year: Grace Shellenberger, of Davenport, president; Mrs. H. W. Spaulding, of Grinnell, first vice president; E. Joanna Hagey, of Cedar Rapids, second vice president; Ruth Gibbons, of Cherokee, secretary; and Mae C. Anders, of Des Moines, treasurer.

As a part of the celebration of its seventieth anniversary, the Rock Island Railroad, on October 10, 1922, planted memorial trees at various places along its route in honor of seventy of its former employees—all classes being represented from president to section laborer. The Rock Island line entered the State of Iowa in 1853, as the Mississippi and Missouri Railroad, though it was not until January, 1856, that the first railroad train crossed the State from Davenport to Iowa City. Of the seventy memorials, twenty-six are located in Iowa; and two of these honor the men who surveyed the line across Iowa in 1853 and 1854—Peter A. Dey and Grenville M. Dodge. The Dodge memorial is located at Council Bluffs; that for Mr. Dey and one for Dr. Wm. D. Middleton, chief surgeon, are at Iowa City. Upon the bronze tablet near each tree is an inscription with the name of the employee for whom the tree was planted. That for Mr. Dey may be given as an example:

"1852	ROCK ISLAND LINES	1922
	Seventieth Anniversary	
	October Tenth	
	The memorial tree planted nearby	
	is Dedicated	
	By the Rock Island in affectionate	
	memory of	
	Peter A. Dey	
	Who by his industry, courage and loyalty	

through every vicissitude signally aided  
in the development of the Chicago, Rock  
Island & Pacific Railway into a great  
transportation system DEVOTED TO  
THE PUBLIC SERVICE."

Mr. Dey was for nine years the President of The State Historical Society of Iowa.

#### JAMES RUSH LINCOLN

James Rush Lincoln was born in Frederick County, Maryland, on February 3, 1843, coming to Iowa in 1868. Having served in the Confederate army during the Civil War, he was interested in military affairs and in 1883 he became the head of the military department at the Iowa State College of Agriculture and Meehanic Arts at Ames, a position he held until his death on August 4, 1922.

He served during the Spanish-American War as a brigadier general and after the reorganization of the Iowa National Guard he commanded the Fifty-first Regiment of the Iowa National Guard, later the Fifty-fifth Iowa Infantry. From July 5, 1908, until January 1, 1914, he was brigadier general of the Iowa National Guard.

## CONTRIBUTORS

JAY JULIUS SHERMAN. Born at Paton, Iowa, in 1888. Graduated from the Storm Lake high school in 1906. Received the degree of B. A. from the Iowa State Teachers College in 1919, and the M. A. degree from the State University of Iowa in 1922. Has served as superintendent of schools at Lohrville, Luverne, Sewal, and Seymour.

LOUIS BERNARD SCHMIDT, Professor of History in the Iowa State College of Agriculture and Mechanic Arts. (See THE IOWA JOURNAL OF HISTORY AND POLITICS for January, 1922).





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LOCATED AT IOWA CITY IOWA

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# A HISTORY OF THE MILITARY DEPARTMENT OF THE STATE UNIVERSITY OF IOWA

## I

### BEGINNINGS DURING THE CIVIL WAR

The first steps toward the establishment of military instruction at the State University of Iowa were taken during the early days of the Civil War when the attention of the people of the State was focused upon the consequences of the lack of adequate provision for military instruction, the need of an organized militia, and the advantage of military training for others who might be called into service.

In speaking before the Iowa State Teachers' Association in August, 1861, Oliver M. Spencer, President of the University, referred to a visit he had made to the University of Michigan, where a military department had recently been established, and said that he desired the establishment of a similar department at the State University of Iowa.<sup>1</sup>

On October 24, 1861, the Board of Trustees of the University recommended to the State Board of Education the

<sup>1</sup> *The Iowa Instructor*, Vol. III, p. 104.

A chair of military engineering had been established at the University of Michigan in June, 1861, at the request of the State Military Board and it is probable that, under the influence of the spirit generated by the Civil War, a full-fledged military school would have been established except for the lack of funds. It was found impossible to fill the chair created and lectures in military engineering were given by one of the professors of civil engineering. It is not apparent that an instructor in tactics was ever secured. On April 1, 1869, it was voted to apply for the detail of an army officer but the committee was discharged on September 23rd of that year. Military instruction was not attempted afterwards until the spring of 1916 at which time the University of Michigan looked, in turn, to the State University of Iowa for a model.—Letter of Frank E. Robbins, assistant to the President of the University of Michigan, dated June 16, 1922; *The Daily Iowan*, November 23, 1915; letter of Lieutenant Robert T. Phinney to the registrar of the University of Michigan, dated November 4, 1915.



creation of a professorship of "military tactics and civil and military engineering". A motion providing for such military instruction was introduced by Governor Samuel J. Kirkwood at the final session of the Board of Education,<sup>2</sup> and this bill, as amended, was passed on December 18, 1861:

Be it enacted by the Board of Education of the State of Iowa, That whenever provision shall be made by the General Assembly for the expenses of a Department of Military Instruction in the State University, the Trustees shall establish such Department, and ordain laws for the regulation of the same, and on the nomination of the Governor of the State, shall appoint the Professor thereof, and provide for the safe keeping of instruments, models, books, arms and accoutrements belonging to said Department. They may also require, in their discretion, that all male students of the University, not conscientiously opposed to bearing arms, be drilled in military tactics for so many hours in each week, as they may deem expedient.<sup>3</sup>

As the Board of Education had no authority to appropriate funds, Governor Kirkwood, in his biennial message, called the attention of the General Assembly to the need of military training and urged that suitable provision be made therefor. His recommendation reads in part as follows:

<sup>2</sup> *Minutes of the Board of Trustees*, Book A, p. 193; *Report of the President of the State University, 1875-1877*, p. 14, in *Iowa Legislative Documents, 1878*, Vol. I; *Journal of the State Board of Education*, Third Session, pp. 18, 58, 59.

The records of the various governing boards of the University are divided as follows:

Book A (in manuscript), pp. 7-352, contains the minutes of the four Boards of Trustees, July 15, 1847, to January 19, 1870; Book A, pp. 353-end, Book B (in manuscript), and Book C (in manuscript) contain the minutes of the Board of Regents, June 28, 1870, to January, 1900. Printed *Records of the Board of Regents* were distributed from July 18, 1900, to June 30, 1909, when the Board was abolished. These published records contained the minutes of the Board of Regents, the executive committee, and the building committee. The *Minutes of the Board of Education*, one manuscript volume for each fiscal year for each institution under the control of the Board of Education, contain the records from July, 1909, to date.

<sup>3</sup> *School Laws of Iowa, 1864*, p. 39.

I am decidedly of the opinion that not only the interest of the institution [the State University], but also the interest of the State requires that you should provide a Military Department of the University, and should establish a Military Professorship therein. The sad experience of the last few months, has shown us the necessity of military knowledge among our people. By giving to the young men who may attend the University, military instruction and training, we will not only greatly benefit them, but will also have made provision for what our present experience shows may, at any moment, become a necessity to our people. The Board of Education, at their recent session, directed the Trustees of the University to make provision for a Military Department therein as soon as the General Assembly should make the necessary appropriation therefor, and I earnestly recommend the subject to your favorable consideration.<sup>4</sup>

In view of the much greater needs of the active troops the General Assembly made no appropriation for a military department at this time; but in June, 1863, the Trustees of the University appropriated \$500 of the general funds for the "establishment of a System of Gymnastic exercises & physical training, and the employment of a suitable professor for the period of three months".<sup>5</sup> In August of the same year they set aside a like amount "for the purpose of initiating a department of Military instruction" and provided that the instruction should be given under such rules as the faculty should deem proper.<sup>6</sup>

In accordance with this provision it was announced in an advertisement of the University in October, 1863, that "the students will practice in light gymnastics, under the direction of Prof. E. R. White" and that "a system of military drill and tactics, by an experienced officer is contemplated".

<sup>4</sup> Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol II, p. 282.

<sup>5</sup> *Minutes of the Board of Trustees*, Book A, p. 208.

<sup>6</sup> *Minutes of the Board of Trustees*, Book A, p. 212.

At the same time it was reported that a large hall had been set aside for gymnastics.<sup>7</sup> The first official announcement of the work is found in the University catalogue for 1863-1864 and reads as follows:

A gymnasium conveniently located and complete in all its appointments, has been arranged for the benefit of the students where regular exercise is taken according to Dio Lewis' improved system of Light Gymnastics.

This in connection with the exercises in military drill will be under the charge of the professor of that department, who will give special attention to the development of a healthy, vigorous and symmetrical *physique*.<sup>8</sup>

In this same catalogue Thomas Calver, "Teacher of Gymnastics and Military Drill", appears as a member of the faculty, having been appointed to this position following the death of E. R. White. In May, 1864, he organized a college company of one-hundred-day volunteers and became a sergeant major in the regiment — the Forty-fourth Iowa Infantry.

Governor Kirkwood again referred to the military department of the University in his biennial message of 1864 and requested that provision be made by law for a military professorship, stating that such provision would serve to popularize the institution and impart to the students the sort of knowledge the lack of which had caused much loss of life and expense during the Civil War. He mentioned that he had placed two hundred stands of arms with their accoutrements in charge of the faculty.<sup>9</sup>

<sup>7</sup> Editorial notice concerning the State University of Iowa and circular of the State University of Iowa for 1863-1864 in the *Annals of Iowa* (First Series), Vol. I, pp. 189, 192.

<sup>8</sup> *Catalogue of the State University of Iowa*, 1863-1864, p. 38, 1864-1865, p. 34, 1865-1866, p. 42. This statement is omitted beginning in 1866-1867.

<sup>9</sup> Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. II, p. 336.

This issue of arms is verified by the report of the Adjutant General of the State to the General Assembly that there had been issued to the University 200 French rifled muskets, 120 screw drivers, 160 wipers, 2 bullet moulds, 4 ball screws, 18 tumbler punches, 200 cartridge boxes and plates, 200 cartridge box belts and plates, 200 waist belts and plates, 200 cap pouches and picks, 200 bayonet scabbards, 200 gun slings, and 5000 cartridges.<sup>10</sup> The President was authorized by the Board of Regents to give bond in the sum of \$3000 for this equipment. The rifles were to be placed under the immediate care of the professor in the department of military instruction, and he was held responsible for them subject to the supervision of the faculty.<sup>11</sup>

A University advertisement appearing in April, 1864, contains this statement:

At their last meeting, the Board of Trustees made an appropriation whereby the students of the University are provided with free tuition in Vocal Music, Military Drill and the "New Gymnastics", thus adding largely to the attractions which the University has heretofore presented.<sup>12</sup>

For the school year 1864-1865 it appears that the sum of \$1000 was appropriated by the Regents for the support of the "Military and Gymnastic Department" in addition to the unexpended balance from the preceding year.

Professor Calver, being seriously ill as a result of his war service, was not able to return to the University in the fall of 1864 following the discharge of the Forty-fourth Iowa Infantry. No record is available as to the instructor and instruction for the scholastic year 1864-1865. Charles E. Borland, Principal of the Preparatory Department, who

<sup>10</sup> *Report of the Adjutant General of Iowa*, 1863, pp. xxxiv, xxxviii.

<sup>11</sup> *Minutes of the Board of Trustees*, Book A, p. 215.

<sup>12</sup> *Annals of Iowa* (First Series), Vol. II, p. 288.

had seen service as captain of the "College Company" was placed in charge of the work for the following year at a salary of \$250. The appropriation for gymnastics was renewed to the amount of \$550, but no separate allowance was provided for military training.<sup>13</sup>

That military instruction as given at the University during the war was not altogether satisfactory is seen from the following extract from the report of the President of the University to the General Assembly in 1866:

At the opening of the war, \$500 were appropriated by the Board for the above purpose [military training and instruction]. Two hundred stands of rifled muskets and accoutrements were obtained from the Governor, for the purpose of drill. By means of these, and with a suitable instructor, it was hoped to impart to the students a knowledge of infantry tactics, and at the same time to furnish them with regular and healthful exercise. Although the object at the time was an important one, yet the class of students in attendance, and the accession of new members each term and the withdrawal of old members, and the limited time — say one hour per week — that could be spared for drill from the other studies, rendered the experiment a partial failure. A portion of the appropriation was expended in the experiment, and the balance applied to the support of the gymnastic exercise. Since the close of the war and the return of a large number of student-soldiers to the University, who were formerly in it, and who have learned tactics and drill on many a battle-field, the making of this department successful is not very flattering. This class of students looks upon home-guard drill with disfavor. It is also a failure on the ground of exercise, as not more than one-third of the students could be expected to drill. While this is true, it is still possible that a Military Department that should teach engineering, &c., similar to the plan at West Point, might succeed.<sup>14</sup>

The last expenditure of the department recorded in 1866

<sup>13</sup> *Minutes of the Board of Trustees*, Book A, pp. 222, 236, 237; *Annals of Iowa* (First Series), Vol. II, p. 383.

<sup>14</sup> *State University Report*, 1863-1865, p. 8, in *Iowa Legislative Documents*, 1866, Vol. I.

is \$78.09 for arms lost. At this time the Regents allowed \$150 for the instructor in gymnastics. Professor Borland died in the following year; and in June, 1867, it was voted to omit provision for the gymnasium, the executive committee being placed in charge of the gymnasium property.<sup>15</sup> The last record of any State arms remaining at the University appears in the *Report of the Adjutant General* for the year 1867.

## II

FROM THE CIVIL WAR TO THE SPANISH-  
AMERICAN WAR

In 1867, in spite of the discontinuance of military training at the State University of Iowa, the Board of Regents voted that if Congress adopted the bill providing for military instruction the University should accept the conditions and organize under it. In passing this resolution the Regents were apparently acting under some misapprehension: the bill providing for the detail of army officers as professors of military science and tactics had been included in the army reorganization act of July 28, 1866. The only restriction was that the officers were to be detailed in accordance with population and to institutions having a capacity for at least one hundred and fifty male students.<sup>16</sup>

No further action was taken in the matter, however, until 1874. In the meantime the students debated the merits of military training and there were some requests for the establishment of such a course. During this period military drill was compulsory for the male students of Iowa College

<sup>15</sup> *Minutes of the Board of Trustees*, Book A, pp. 250, 262, 273, 274.

<sup>16</sup> *Minutes of the Board of Trustees*, Book A, p. 286; *Public Laws of the 39th Congress* (First Session), Ch. 299, Sec. 26.

at Grinnell as well as for those of the Iowa State College at Ames.<sup>17</sup> At the meeting of the Board of Regents on March 4, 1874, the Executive Committee was given authority to establish a course of military instruction, "provided that the appropriation to aid in the Support of the University made by the present Legislature be sufficient, in the opinion of the Executive Committee, to justify their so doing".<sup>18</sup>

The following entry appears in the minutes of the Board of Regents for June 26, 1874:

On motion of Col. A. T. Reeve a chair of Military Instruction is established and the following resolutions adopted:

Resolved, That there be and hereby is established a chair in the University which shall be styled the Chair of Military Instruction.

Resolved, That the President of the United States be requested to detail an officer to perform the duties of said chair.

Resolved, That the President of the Board, Col. A. T. Reeve, and the President of the University be a Committee to correspond with the President of the United States with a view to obtaining a detail of such officer to said chair of Military Instruction.<sup>19</sup>

A request for an army officer as head of the department having been sent to Washington in accordance with this motion, the following order was issued by the War Department:

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,

Washington, August 26, 1874.

Special Orders, No. 167:

1. By direction of the President, and in accordance with Section 26 of the Act of July 28, 1866, 1st Lieutenant Alexander D. Schenck, 2d Artillery, is detailed as Professor of Military Science

<sup>17</sup> *The University Reporter*, October, 1871.

<sup>18</sup> *Minutes of the Board of Regents*, Book A, p. 454.

<sup>19</sup> *Minutes of the Board of Regents*, Book A, p. 463.

and Tactics at Iowa State University, Iowa City, Iowa, and will report for duty accordingly.<sup>20</sup>

UNDER LIEUTENANT ALEXANDER D. SCHENCK

Lieutenant Schenck reported for duty on September 12, 1874, and at once proceeded with the organization of the "Military Battalion Iowa State University".<sup>21</sup> By action of the faculty, taken in the fall and approved by the Board of Regents in the following spring, military drill was optional with the students; but the Regents in approving the drill schedule recommended that the students "especially of the Collegiate Classes avail themselves of the facilities offered them for healthful physical training and the gaining of a useful accomplishment by military drill and study." Instruction was recommended for not less than two nor more than three hours per week during the fall and spring terms, with classroom work limited to one recitation or lecture per week — not involving more than one and one-half hours of study on the average — during the winter term. On the formation of companies the students were advised to supply themselves with uniforms. As stated in the resolutions the object of the military instruction was "not to give the students an extensive Military Education but only so much military training and knowledge as will consist best with the required literary and scientific purposes of the University".<sup>22</sup>

In accordance with the rules given above, the instruction for the entire battalion was given on Mondays, Wednesdays, and Fridays at 4:00 P. M. in the fall and spring.

<sup>20</sup> *The Hawkeye*, 1899.

<sup>21</sup> *The Hawkeye*, 1899; *The University Reporter*, November 15, 1874.

<sup>22</sup> *Report of the President of the State University, 1873-1875*, p. 18, in *Iowa Legislative Documents, 1876*, Vol. I; *Minutes of the Board of Regents*, Book A, pp. 478, 479.



During the winter the seniors, who were also the cadet officers, had weekly theoretical work on field fortifications and the science of war while the juniors had semi-weekly recitations in infantry and artillery tactics.<sup>23</sup> Enlistments were for one, two, or three terms.<sup>24</sup>

During the year one hundred and thirty-eight breech loading rifled muskets, cadet model of 1869, were received from the Rock Island Arsenal, together with all necessary accoutrements for the equipment of one hundred and thirty-eight men.<sup>25</sup> In May, 1875, it was possible to secure two 3.2-inch muzzle loading cannon, and so a battery was organized.<sup>26</sup> In addition the Regents appropriated \$400 for the equipment of the battalion. This money was used to cover the expense of buying drums, flags, fifes, and other necessary equipment not supplied by the Federal government. A set of band instruments consisting of two fifes, one bass drum, and six snare drums is the only item definitely mentioned as being bought with this fund.<sup>27</sup>

One of the rooms on the first floor of the Old Stone Capitol was set aside for an armory and storeroom. Apparently there was need of a suitable shed for the artillery where it could be locked up, for it is said that the boys persisted in dragging the cannon around and shooting them off at night.<sup>28</sup>

The system of voluntary military instruction did not

<sup>23</sup> *The Hawkeye*, 1899; *The University Reporter*, October 15, November 15, 1874.

<sup>24</sup> *Catalogue of the State University of Iowa*, 1874-1875, p. 19.

<sup>25</sup> *The Hawkeye*, 1899.

<sup>26</sup> *The Hawkeye*, 1899.

<sup>27</sup> *Minutes of the Board of Regents*, Book A, p. 478; *Catalogue of the State University of Iowa*, 1874-1875, p. 19; *The Hawkeye*, 1899.

<sup>28</sup> *The University Reporter*, May 15, 1875; conference with O. H. Brainerd, August, 1922.

prove successful, and by resolution of the Board of Regents military training, commencing with the year 1875-1876, was made compulsory for all physically fit male students.<sup>29</sup> In accordance with this drill requirement an order was drawn up, approved by the Board of Regents, and printed. It contained provisions concerning the organization of the able-bodied male students of the collegiate department as a battalion, the selection of staff and company officers, the duties of the Professor of Military Science and Tactics and the cadet officers, the course of instruction, the uniform of the battalion — a cadet gray uniform of the West Point pattern — and the administration of the battalion. In the main this order was an extension and revision of one issued earlier by Lieutenant Schenck and approved by the faculty. Most of the regulations which were embodied in this order, with minor changes and revisions, were continued in effect for a considerable period. It is reprinted below as Appendix A (see pages 295-302). The election of the officers in accordance with the militia custom was never carried out. The appropriation recommended in the report of the military committee was reduced to \$250.<sup>30</sup>

The order for compulsory military training came as a surprise to the students. Although it was admitted that this was the only way the department could be made a success, a number of the students loudly proclaimed that they would not return to school in the fall if the rule was to be enforced.<sup>31</sup> For the most part, however, those who were loudest in their objection to drill and most positive that they would not submit returned the following fall and entered the battalion without opposition.<sup>32</sup> Many drill and

<sup>29</sup> *Minutes of the Board of Regents*, Book A, p. 502.

<sup>30</sup> *Minutes of the Board of Regents*, Book A, pp. 501-505.

<sup>31</sup> *The University Reporter*, July 15, 1875.

<sup>32</sup> *The University Reporter*, October 15, 1875.

anti-drill letters were published in *The University Reporter* throughout the year, and the terms "drill" and "anti-drill" were used to designate the two factions of the student body. In the year 1876-1877 the protests seem to have been almost entirely dropped and the "drill" and "anti-drill" titles as applied to students were little used.<sup>33</sup>

Credits in military science could be substituted for those of any of the required studies in the college course at the option of the student, but only one course could be omitted from any one department. This rule was changed by the faculty at a later date so that only one study could be dropped by those taking military drill, but the grade in military science might be substituted for any other grade when computing the average grade and the class standings. Students excused from military training on conscientious grounds were allowed to substitute the marks received in two extra subjects in place of the marks of two of the required studies. The girls were allowed, for a few years at least, to drop their lowest grade in the computation of their average to compensate for the privilege allowed the men. The request of the girls for extra credits for outside reading was not allowed.<sup>34</sup>

#### UNDER LIEUTENANT JAMES H. CHESTER

James H. Chester, First Lieutenant, Third Artillery, undertook his duties as the second Professor of Military Science and Tactics on January 1, 1877.<sup>35</sup> He made his headquarters in the armory located in one of the rooms of Central Hall — the Old Stone Capitol.<sup>36</sup>

<sup>33</sup> *The University Reporter*, October 15, 1875.

<sup>34</sup> *Minutes of the Collegiate Faculty*, January 7, 1876, March 19, 1880, March 24, 1882, March 26, 1886; *Minutes of the Board of Regents*, Book B, p. 44.

<sup>35</sup> *The Hawkeye*, 1899.

<sup>36</sup> *Report of the President of the State University, 1875-1877*, p. 38, in *Iowa Legislative Documents*, 1878, Vol. I.

The purchase of the prescribed uniform was not compulsory and few students purchased it on account of the expense involved. To remedy this lack of uniformity the following order was issued:

University Battalion, N. G. S. I.

May 9, 1877.

Orders No. 7.

1. Recognizing the difficulties and the expense attending the procurement of a uniform, and at the same time desiring to have the Battalion in a presentable shape at the end of the term, the following is recommended with the approval of the President of the University as a cheap and serviceable uniform for gymnastic and military exercises.

HAT: White straw with black ribbon.

JACKET: Red flannel overshirt with navy collar, the letters I. S. U. (Iowa State University) in script of white tape immediately below the bosom. Letters four inches high.

Military rank to be indicated in the angles of the collar, by the following badges in white tapes sewed on the collar, viz:

Corporal — Chevron of two bars.

Sergeant — Chevron of three bars.

1st Sergeant — Sergeant's chevrons with lozenge.

Color Sergeant — Sergeant's chevrons with star.

Second Lieutenant — One star, five pointed.

First Lieutenant — Two stars, five pointed.

Captain — Three stars, five pointed.

2. It is not intended to discard the present uniform. Officers may continue to wear it in any company and all other students who have provided themselves with it will be transferred to one company so that uniformity in the companies may be maintained.

3. The new gymnastic uniform is intended for the relief of the many students who have not yet provided themselves with any uniform.<sup>37</sup>

Instruction under Captain Chester consisted of drill in the schools of the soldier, company, and battalion; artillery drill and saber exercises; and parades and reviews. The

<sup>37</sup> *The Hawkeye*, 1902.

parade ground west of the campus used the year before had been converted into a potato patch and the drills were held on the campus.<sup>38</sup> The students were organized for drill in a battalion of three or more companies, a battery, and a music corps. In 1875-1876 there were six infantry companies; in 1876-1877 there were four infantry companies; and in 1877-1878 and until 1903 there were four infantry companies and a battery. The strength of the battalion in 1876-1877, the only year for which a numerical roster has been saved, is shown in Table I.

TABLE I

UNIVERSITY BATTALION <sup>39</sup> 1876-1877						
	FIELD AND STAFF	Co. A	Co. B	Co. C	Co. D	TOTAL
COMMISSIONED OFFICERS	3	3	3	3	3	15
NON-COMMISSIONED OFFICERS		8	8	8	8	32
MUSICIANS		2	2	2		6
PRIVATES		34	38	27	36	135
TOTAL	3	47	51	40	47	188

Commissioned officers were selected from the senior class, non-commissioned officers from the junior class, and artillerymen from the sophomores, as far as practicable. The theoretical work for the juniors consisted of weekly recitations from Upton's *Infantry Tactics* and *U. S. Light*

<sup>38</sup> *Catalogue of the State University of Iowa, 1878-1879*, p. 38; *The University Reporter*, April 15, 1878; *Minutes of the Board of Regents*, Book B, p. 122.

<sup>39</sup> *Report of the Adjutant General of Iowa, 1875*, p. 13, 1876-1877, pp. 41, 49, 1878-1879, p. 39. Only 139 male collegiate students were listed in the catalogue for 1876-1877. This discrepancy is probably due to the admission of students from the sub-freshman classes of the University and Iowa City Academy.

*Artillery Tactics*; for the seniors it consisted of weekly lectures on army administration, grand tactics, strategy, military engineering, ordnance and gunnery, and military law and courts martial.<sup>40</sup> Commencing with the year 1878-1879 the juniors and seniors were required to attend lectures or recitations twice a week during the winter term instead of weekly.<sup>41</sup> These lectures were so popular that many visitors from the students and faculty attended them.<sup>42</sup>

The committee on buildings and grounds of the University recommended that a partition be placed across the lower hall of the Old Stone Capitol to form an armory; but when it was found possible to make a saving of \$2500 from the repair fund a two-story boiler house, thirty-six by forty-eight feet, was constructed, the second floor of which was used as an armory.<sup>43</sup> A third story to be used as a drafting room was added in 1882. This structure was known as the West Building of the University, as the Armory, and later as the Band Room and Electrical Building.<sup>44</sup> In addition to its use as an arms storehouse, the armory was used as a drill hall for one or two companies when the weather prevented outdoor drill.<sup>45</sup>

#### UNDER LIEUTENANT GEORGE A. THURSTON

George A. Thurston, First Lieutenant, Third Artillery, relieved Lieutenant Chester on January 1, 1880. During

<sup>40</sup> *Catalogue of the State University of Iowa, 1877-1878*, p. 52, 1878-1879, p. 37, 1879-1880, p. 37.

<sup>41</sup> *The Vidette*, December, 1878; *The University Reporter*, October, 1878.

<sup>42</sup> *The Vidette*, December, 1878.

<sup>43</sup> *Minutes of the Board of Regents*, Book B, pp. 123, 135, 139; *Report of the Visiting Committee to the State University*, p. 7, in *Iowa Legislative Documents*, 1880, Vol. III.

<sup>44</sup> *Minutes of the Board of Regents*, Book B, pp. 224, 225; *The Vidette-Reporter*, May 27, 1882.

<sup>45</sup> *The Vidette-Reporter*, May 5, 1883, April 24, 1886.

this year the instruction of the seniors consisted of a series of thirty lectures: three on army organization and administration, eleven on grand tactics, five on strategy, three on military engineering, five on ordnance and gunnery, and three on military law and courts martial. The junior recitations in infantry and artillery tactics continued as before.<sup>46</sup>

The "University Cornet Band" with thirteen pieces was organized as a part of the Military Department in the fall of 1880 under student leadership.<sup>47</sup> It replaced an unofficial student band organized in December, 1875, which had played at the various University commencements and other gatherings.<sup>48</sup> Previous to the organization of the military band the Iowa City Light Guard Band had played for the occasional dress parades.<sup>49</sup> In addition to its work with the Military Department the band advertised for engagements and played at various University functions such as the "Chapel walk-around", the Garfield memorial services, and the commencement exercises of the various colleges.<sup>50</sup> The University supplied some of the band instruments, but was unable to supply all because of lack of funds.<sup>51</sup> In June, 1882, the Board of Regents gave a vote of thanks to the band for playing at commencement, and at the same time voted a gift of \$25 to the leader and \$75 to be divided among the other members of the organization. This is the first instance of the band being paid by the Uni-

<sup>46</sup> *Catalogue of the State University of Iowa*, 1879-1880, pp. 6, 37.

<sup>47</sup> *The Vidette-Reporter*, June 2, 1883, October 27, 1900; *Catalogue of the State University of Iowa*, 1880-1881; *The University Reporter*, December, 1880.

<sup>48</sup> *The University Reporter*, December 15, 1875, July, 1878.

<sup>49</sup> *The Hawkeye*, 1898.

<sup>50</sup> *The University Reporter*, April, 1881; *The Vidette-Reporter*, October 1, 8, 1881.

<sup>51</sup> *The Vidette-Reporter*, September 16, 1882.

versity for its extra services.<sup>52</sup> A drum major was added to the band in 1882-1883, but he did not have suitable equipment until two years later when the Regents allowed \$50 for the purchase of an outfit. During this period the band members spent more time on their work than the other members of the battalion — particularly the seniors who were required to attend the military lectures in addition to their band work.<sup>53</sup>

Target practice, which before this time had been restricted to interclass contests, was required of the entire battalion. Firing was conducted off-hand at one hundred yards. The location of the rifle range is not reported.<sup>54</sup>

Lieutenant Thurston also prescribed an "elegant and comfortable" uniform consisting of a shirt and close fitting dark blue sack coat with brass buttons and a roll collar revealing the shirt collar, spring-bottom trousers of the same material with a one inch stripe along the outer seams — light blue for infantry and red for artillery — and a blue cap of the United States army fatigue pattern. These uniforms might be made up according to the specifications wherever the cadets desired, or they could be secured from the clothiers and tailors in Iowa City.<sup>55</sup> This uniform was continued in use until 1907. The purchase of the uniform was recommended by the Board of Regents on the ground that it would add to the appearance of the military drill and the education of the students.<sup>56</sup> Only about one-third of the students purchased the uniform, however, and in

<sup>52</sup> *Minutes of the Board of Regents*, Book B, p. 229.

<sup>53</sup> *The Vidette-Reporter*, June 2, 1883; *Minutes of the Board of Regents*, Book B, p. 278.

<sup>54</sup> *The University Reporter*, November, 1880; *The Vidette*, October, 1879; *Catalogue of the State University of Iowa*, 1881-1882, p. 35.

<sup>55</sup> *Catalogue of the State University of Iowa*, 1880-1881, pp. 35, 36.

<sup>56</sup> *Minutes of the Board of Regents*, Book B, p. 169.



June, 1881, the Regents passed a resolution requiring that students taking military drill purchase the uniform and wear it when required to do so by the Professor of Military Science and Tactics.<sup>57</sup> This was not a hardship, however, as the uniform prescribed could be secured at a less cost than civilian clothing and, in addition, was very durable. It was customary for a majority of the students to wear the uniform on all ordinary occasions, and some were even known to wear the uniform to church to save "Sunday clothes" for social affairs.

The annual ceremony of "Governor's Day", which is still a feature of the work of the department, was instituted on June 17, 1881, when the battalion and band marched in review before Governor John H. Gear and other officials of the State. Volley firing by the infantry and artillery were added to the proceedings during the following year.<sup>58</sup>

In 1881 it was necessary to have the ceiling of the boiler room plastered in order to prevent dirt and smoke from coming up into the armory above and interfering with military instruction.<sup>59</sup> The color sergeants were required to display the flag from the staff on the Old Stone Capitol during drill hours.<sup>60</sup> A chaplain with the rank of first lieutenant was added to the staff personnel of the battalion—the position being filled by a student.<sup>61</sup> Lieutenant Thurston was detailed for a second term at the request of the Board of Regents, but, under the operation of the three year service law, was able to serve only six months of the second period.<sup>62</sup>

<sup>57</sup> *Minutes of the Board of Regents*, Book B, p. 189.

<sup>58</sup> *The University Reporter*, June, 1881; *The Vidette-Reporter*, June 22, 1882.

<sup>59</sup> *Minutes of the Board of Regents*, Book B, p. 197.

<sup>60</sup> *The Hawkeye*, 1898.

<sup>61</sup> *The Vidette-Reporter*, October 15, 1881.

<sup>62</sup> *Minutes of the Board of Regents*, Book B, p. 242; *The Hawkeye*, 1899

During the administrations of Lieutenant Chester and Lieutenant Thurston the anti-military spirit was dying out; indeed, it had practically disappeared. There were no more outbreaks against the drill requirements, although there were the usual number of attempts on the part of students to get excused from drill.<sup>63</sup>

At this time the band made many trips out of town with different organizations. In the year 1882-1883, for instance, trips were made to Mount Vernon with the football team, to Cedar Rapids with the Ida Mae Pryce Opera Company to play for a performance there, to Cedar Rapids to hear Theodore Thomas, and to Waterloo for the Firemen's Tournament.<sup>64</sup>

#### UNDER LIEUTENANT EDWARD C. KOWER

Edward C. Kower, First Lieutenant, Third Artillery, assumed command at the University on September 12, 1883. The strength of the battalion at this time was 152 out of the slightly more than 200 male students in the Collegiate Department.<sup>65</sup>

Practically the same system of instruction was carried out as under the previous officers. Recitations in tactics for the juniors were increased to three per week, and the senior lectures were reduced to one a week. The lectures given to the seniors covered such topics as "The Battle of Waterloo", "Frederick the Great and His System", and "The Virginia Campaign". Some of the lectures were so popular that they had to be repeated for the faculty, students, and visitors. Following the close of the lecture course, the seniors were allowed a period of five weeks to

<sup>63</sup> *The Vidette-Reporter*, October 7, 1882.

<sup>64</sup> *The Vidette-Reporter*, October 28, 1882, March 10, May 19, 1883.

<sup>65</sup> *The Hawkeye*, 1899.

write a thesis and prepare for examination on the lectures.<sup>66</sup> Setting-up exercises were featured for the battalion with the purpose of giving exercises that could be used by the students in their rooms for their physical development.<sup>67</sup> Target practice at fifty and one hundred yards was continued on Saturdays for those who volunteered for the work — a large portion of the cadets receiving this instruction. Interclass contests between rifle teams selected from the cadets were revived as one method of gaining the interest of the students.<sup>68</sup>

Ceremonies of some sort — dress parade or review — were held every Friday afternoon during good weather. This practice continued until after the Spanish-American War when more emphasis was placed upon the training needed for field service and less upon formal drill. The drill of the companies was placed in the hands of the captains, the first and second lieutenants not being required to appear except for the weekly dress parades.<sup>69</sup>

During this period the ranks of the battalion were swelled by students from the Iowa City Academy who, for the most part, were preparing for entrance into the University.<sup>70</sup>

The band gave numerous concerts, one of the first being a benefit concert on March 19, 1884, for the purchase of uniforms for the band members. Subscriptions from the citizens of Iowa City helped in securing the uniforms, but similar efforts were necessary the following year as suffi-

<sup>66</sup> *The Vidette-Reporter*, November 3, December 8, 1883, February 23, April 19, 1884, February 13, 1886.

<sup>67</sup> *The Vidette-Reporter*, November 14, 1885.

<sup>68</sup> *The Vidette-Reporter*, November 17, 1883, November 22, 1884.

<sup>69</sup> *The Vidette-Reporter*, April 19, May 10, 1884.

<sup>70</sup> *The Vidette-Reporter*, May 15, 1886; circular of the Iowa City Academy, May 1, 1891.

cient money was not secured the first year.<sup>71</sup> A series of outdoor concerts on the campus was inaugurated in the spring of 1884. The commencement week concerts were begun in 1885 with a concert in the Opera House.<sup>72</sup> These different concerts have been continued down to the present time. The more formal concerts to which a small admission fee is usually charged — to provide for the purchase of music throughout the year — are given in the winter. The campus concerts consisting of popular numbers, for the most part, and forming a program of about an hour in length are presented on spring evenings and on Sunday afternoons. The commencement concerts have also, in more recent years, been given on the campus at different times during commencement week.

The annual Governor's Day exercises were extended to include inspection by the Governor and his staff, dress parade, a demonstration of loadings and firings by the different units, an exhibition of dismounting and assembly of the artillery pieces by the battery, and review of the battalion. These extended exercises were largely maintained in the succeeding years. A volunteer exhibition company was again in evidence in 1886 and is reported as having taken part in the Governor's Day exercises of that year.<sup>73</sup>

On the petition of the students the Regents appropriated money for gymnasium apparatus to be installed in the armory. The students provided an instructor and held voluntary classes, further crowding the small building. Additional apparatus was secured by means of an exhibition and band concert in the Opera House.<sup>74</sup>

<sup>71</sup> *The Vidette-Reporter*, March 22, April 12, 1884, February 28, May 2, 1885.

<sup>72</sup> *The Vidette-Reporter*, April 12, 1884, June 24, 1885.

<sup>73</sup> *The Vidette-Reporter*, June 24, 1885, June 23, 1886.

<sup>74</sup> *Minutes of the Board of Regents*, Book B, p. 229; *The Vidette-Reporter*, December 5, 1885, April 24, 1886.

## THE UNIVERSITY BATTALION AND THE NATIONAL GUARD

The battalion of the State University bore a peculiar and indefinite relationship to the militia of the State. In the first roster of the organized militia companies appearing in the *Report of the Adjutant General* for 1873 the "Iowa College Company" and the "Iowa State Agr'l College Company" were reported. In the following year the "Iowa College Artillery" was added to the roster. With the reorganization of the military work at the State University the "University Battalion, State University, Iowa City", "Major A. D. Schenck commanding" appears in the report rendered January 1, 1876, although it had not, like the others, been outfitted by the State.

With the formation of the National Guard and the organization of regiments in 1877 the University battalion was reported on the rosters as an independent organization, and the State Agricultural College cadets and the Tabor College cadets as "unattached organizations". The reports of the University battalion were continued until the year 1893 when it was dropped from the roster. Apparently the battalion was not considered an integral part of the Guard, for in the Adjutant General's report of 1883 he said:

The following accompanying papers are respectfully submitted:

Roster of the Iowa National Guard.

Roster of the University Battalion.

Roster of the Agricultural College Battalion.

Brigade organization.<sup>75</sup>

The University had sent four delegates to the National Guard convention held at Des Moines on December 22, 1875, to consider a permanent organization of the militia,

<sup>75</sup> *Report of the Adjutant General of Iowa*, 1872, p. 8, 1873, pp. 6, 7, 1875, p. 13, 1876-1877, pp. 41, 42, 1881-1883, p. 13, 1891-1893, pp. 44, 45.

to secure an appropriation for an Iowa delegation to the Centennial Exposition, to work for an adequate militia law with compensation, and to consider the matter of militia uniforms. While at the convention the University delegates arranged with the delegates from the district for the formation of a regiment to be known as the "First Iowa Militia Regiment", with Lieutenant Schenck as colonel and A. D. Collier of Cedar Rapids as lieutenant colonel.<sup>76</sup> Such a regiment was not formed and, as noted above, the battalion was reported independently. The First Infantry, Iowa National Guard, however, was organized from the eastern districts. One of the University delegates became regimental quartermaster and A. D. Collier became captain of the Cedar Rapids company. There was no Iowa City company. The cadets of the University were also represented at the National Guard convention of 1877.<sup>77</sup> As late as 1893 the following statement was made by an inspector in his report to the War Department:

The battalion is considered a part of the State National Guard, and non-commissioned officers are recommended to the adjutant general of the State for promotion, and are commissioned by the governor.<sup>78</sup>

It is apparent, however, that the cadet battalion and regiment have not been integral parts of the National Guard in Iowa, as has been the case in Minnesota where a National Guard battery was organized from University students, or even at the University of Illinois where the cadet officers are commissioned as brevet captains upon graduation and assigned to the various organizations throughout the State.<sup>79</sup> The University battalion was con-

<sup>76</sup> *The University Reporter*, December 15, 1875, January 15, 1876.

<sup>77</sup> *Report of the Adjutant General of Iowa, 1876-1877*, pp. 18, 28.

<sup>78</sup> *The Vidette-Reporter*, September 28, 1893.

<sup>79</sup> Report of Major F. D. Webster, in Gignilliat's *Arms and the Boy*, p. 315.

sidered an independent organization which could be called out in case of emergency, but it has never been so called. While cadets have always received their commissions from the Governor through the Adjutant General of the State in the same fashion as the National Guard commissions, there is no evidence that they are of any value aside from that of records of service.<sup>80</sup>

It was customary for many years for the Governor to commission the Professors of Military Science and Tactics as brevet majors in the National Guard while they were on duty with the University. In one case after the formation of a cadet regiment, a brevet commission as colonel was granted by an act of the legislature.<sup>81</sup>

In September, 1883, the University band was appointed the brigade band of the Second Iowa Brigade, the headquarters of which were assigned to Dubuque.<sup>82</sup> The band played at the National Guard encampment at Cedar Falls that year, and in 1885, as the Second Brigade Band, was sent to the Interstate Drill at Mobile, Alabama, as one of a limited number of bands which had their expenses paid. The faculty allowed the twenty-one bandsmen three weeks leave. The party consisted of Company C, Second Iowa Infantry, of Muscatine, together with General C. F. Bentley and his staff, the University band, and the "Farmer's Brigade" which was composed of the captain of the battery with his first lieutenant and his first and second sergeants and a quartermaster sergeant. This last delegation, it was said, attracted considerable attention because of the "novelty and variety" of its uniforms and evolu-

<sup>80</sup> Letter from Brigadier General H. E. Ely, dated June 22, 1922; letter from Lieutenant Colonel Charles W. Weeks, dated July 4, 1922.

<sup>81</sup> *The Vidette-Reporter*, November 5, 1887; *The Daily Iowan*, March 18, 1902.

<sup>82</sup> *The Vidette-Reporter*, September 15, 1883; *Report of the Adjutant General of Iowa, 1881-1883*, p. 36.

tions. For the first time the band was completely uniformed. There were some thirty or forty companies at this camp with about two thousand men in the drills, Iowa having sent the largest group of any of the States represented. One week was spent at Mobile, one week at New Orleans, and one week in travel with numerous stop-overs en route.<sup>83</sup>

#### UNDER LIEUTENANT JOSEPH CALIFF

Joseph Califf, First Lieutenant, Third Artillery, took charge of the Military Department in September, 1886.<sup>84</sup> Under resolution of the Board of Regents he was required to add drill at least once each week to the work previously given during the winter term. In accordance with this requirement the drill schedules were drawn up so that the theoretical work was given at three o'clock and two companies at a time were given drill in the armory at four o'clock one day a week.<sup>85</sup> This winter drill consisted of drill in the school of the company for the infantry and in the manual of the saber for the artillery. Saturday morning fencing classes for the seniors were added to the course.<sup>86</sup>

The outdoor drills were held at the foot of the hill back of the Old Stone Capitol. This place was reported as the hottest spot in Iowa City: drills were held in clouds of dust stirred up by the marching cadets.<sup>87</sup> The spring drills were arranged with company drill on Mondays, battalion drill on Wednesdays, and a dress parade on Fridays

<sup>83</sup> *The Vidette-Reporter*, December 13, 1884, May 9, 1885.

<sup>84</sup> *The Hawkeye*, 1899.

<sup>85</sup> *Minutes of the Board of Regents*, Book B, p. 370; *The Vidette-Reporter*, November 10, 1888.

<sup>86</sup> *Catalogue of the State University of Iowa*, 1888-1889, p. 35.

<sup>87</sup> *The Vidette-Reporter*, May 21, 1887.



preceded by a half hour of either company or battalion drill as prescribed. All of the cadet officers were required to be present for battalion drill, but only the captains and one lieutenant for each company taken in rotation were required to report for company exercises or at the winter drills. In inclement weather two companies drilled indoors and the others were dismissed.<sup>88</sup>

Saturday target practice for the cadets of all classes was continued and was compulsory in the spring term. The firing was held on the sand banks to the west of the University. The request of twenty dollars for the erection of a regulation target butt was not allowed because of the scaling down of the budget to keep within the income of the school.<sup>89</sup>

Lieutenant Califf published his senior lectures in extended form as a book of about one hundred and sixty pages covering army organization; administration; ancient battle formations used by the Egyptians, Jews, Persians, the Greek phalanx, and the Roman legion; a discussion of the plans of Gustavus Adolphus, Frederick the Great, and Napoleon; a comparative discussion of modern tactics; weapons, explosives, and projectiles; fortification; troops in campaigns; and military law and courts martial.<sup>90</sup>

The exhibition company was reorganized to include twenty-four men. The men of this company drilled as a separate unit during company drill, but for battalion drill they drilled with their companies. While the company was not able to arrange competitive drills with other

<sup>88</sup> *The Vidette-Reporter*, April 21, 1887, April 21, November 17, 1888.

<sup>89</sup> *The Vidette-Reporter*, October 16, 23, November 6, 13, 1886, May 18, 1889; *Minutes of the Board of Regents*, Book B, pp. 537, 550-556; *Catalogue of the State University of Iowa*, 1888-1889, p. 35.

<sup>90</sup> *The Vidette-Reporter*, January 12, 1889.

schools as was hoped, it took part in the annual gymnastic and military exhibitions at the Opera House and in the Governor's Day program.<sup>91</sup>

A new ceremony was added with the inspection of the battalion by the Federal Inspector General, Colonel Breckenridge, on October 24, 1887.<sup>92</sup> The Governor's Day ceremonies in 1888 and 1889 were extended by the inclusion of skirmish drills and sham battles in which blank ammunition was used.<sup>93</sup> Although the battery appeared on horseback in the Memorial Day parade of 1888, it is not apparent that equitation was included in the course of instruction.<sup>94</sup>

Prize drills were instituted on May 25, 1888, with competitive events between the different companies. The best drilled company received the position on the right of the line for the ensuing year, was designated the "prize company", and at ceremonies and parades carried a silk banner with the inscription "Prize Company, S. U. I. Battalion". The best drilled sergeant of the battalion received a pair of bullion embroidered shoulder straps, and the best drilled corporal and private in the battalion a pair of gold lace chevrons of their respective grades for the following year. The two best drilled privates in the battery were appointed corporals commencing with the spring term. The best drilled private in the battalion also received a copy of Upton's *Infantry Tactics*. For the following year the prizes awarded were changed somewhat and the captain of the prize company received a regulation sword and belt.<sup>95</sup>

<sup>91</sup> *The Vidette-Reporter*, December 11, 1886, January 29, March 19, April 21, June 23, 1887.

<sup>92</sup> *The Vidette-Reporter*, October 22, 1887.

<sup>93</sup> *The Vidette-Reporter*, June 20, 1888, June 20, 1889.

<sup>94</sup> *The Vidette-Reporter*, June 2, 1888.

<sup>95</sup> *The Vidette-Reporter*, April 14, May 26, June 2, 1888, May 25, June 20, 1889.

The chief excursion made by the band was a trip to the International Militia Encampment at Chicago on October 1-12, 1887. Expenses of the members of the band were paid out of receipts from a band concert following their return.<sup>96</sup>

After fourteen years of service, the rifles that had been originally issued in 1874 were in such bad condition that in 1889 they were exchanged for 173 of the newest model cadet rifles and accoutrements.<sup>97</sup>

#### UNDER LIEUTENANT GEORGE W. READ

George W. Read, First Lieutenant, Fifth Cavalry, assumed command on September 12, 1889, and served for a period of four years, his detail having been extended one year at the request of the Board of Regents.<sup>98</sup> In addition to his military work he served as a part time instructor of mathematics, for which service he was paid four hundred dollars per year by the University.<sup>99</sup>

That the course of instruction as given by Lieutenant Read was a departure from the previous work is indicated by the course of study as laid out in the catalogue:

The practical Course in Infantry embraces small arms, target practice and, as far as possible, all the movements prescribed by the drill regulations of the U. S. Army applicable to a Battalion. Instruction in Artillery embraces, as far as practicable, such portions of the United States drill regulations as pertain to the formation of detachments, manual of the piece, mechanical maneuvers, aiming drill, saber exercise, and target practice. Instruction is also given in the duty of sentinels and, as far as practicable, in castramentation.

<sup>96</sup> *The Vidette-Reporter*, June 4, October 1, 1887, January 21, 1888.

<sup>97</sup> *Minutes of the Board of Regents*, Book B, pp. 532, 535, 536.

<sup>98</sup> *The Hawkeye*, 1899; *Minutes of the Board of Regents*, Book B, p. 687.

<sup>99</sup> Report of the inspector to the War Department in *The Vidette-Reporter*, September 28, 1893.

Theoretical instruction is by recitations and lectures personally conducted and given by the Professor of Military Science and Tactics and includes a systematic and progressive course in the following subjects: The drill regulations of the U. S. Army, the preparation of the usual reports and returns pertaining to a Company, the organization and administration of the U. S. Army, and the elementary principles governing the art of war.<sup>100</sup>

Instruction of the new men in the fall was carried out in special squads from which they were promoted to the companies as they became proficient. Preliminary instruction had previously been given by companies to both the old and the new men.<sup>101</sup> The target practice mentioned in the above extract was held at 300 and 500 yards by those who volunteered for the work from nine to twelve on Saturdays. With the large number who volunteered it was necessary to divide the class into sections with a limitation of five shots for those who were specially proficient and ten shots for the others.<sup>102</sup>

The revised infantry drill regulations of 1891 were adopted in November of the same year. At the government inspection the University was commended for being the first school to employ the new regulations and for proficiency in them.<sup>103</sup>

Drill schedules in the fall and spring were practically the same as in previous years. The following is a typical schedule for the winter term:

I. The following programme of instruction in the Military Department is announced for the winter term:

4:30 to 5:30 p. m. —

<sup>100</sup> *Catalogue of the State University of Iowa*, 1889-1890, p. 42.

<sup>101</sup> *The Vidette-Reporter*, September 20, 1890.

<sup>102</sup> *The Vidette-Reporter*, December 17, 1891, January 14, February 25, March 31, December 8, 1892.

<sup>103</sup> *The Vidette-Reporter*, May 17, 31, 1892; *S. U. I. Quill*, November 14, 1891, p. 89.

Monday, Lecture for Seniors.

Tuesday, Recitation in Artillery Drill Regulations, Drill for Companies "A" and "B."

Wednesday, Recitation of first section in Infantry Drill Regulations, Drill for Companies "C" and "D."

Thursday, Recitation of second section in Infantry Drill Regulations, Drill for Battery.

Band practice, Monday and Thursday, from 7 to 9 p. m.

Gallery practice, Saturday, 9:30 a. m.

II. All Seniors are required to attend lectures.

III. All Juniors, except those in the band and those who have been excused from drill on account of permanent physical disability, are required to take Drill Regulations.

IV. Sections in Drill Regulations will be composed as follows:

Artillery Section, Sergeants of the Battery and such other members as may be designated upon application.

1st Infantry Section, Juniors of "A" and "B" Companies.

2d Infantry Section, Juniors of "C" and "D" Companies.

Non-Commissioned Staff Officers will report to the Commandant for assignment to a section.<sup>104</sup>

The organization was also the same as before with all freshmen drilling in the companies and the sophomores permitted to enter the battery or the band if they so desired. Sophomores were divided into two sections and reported to the captain of the battery on different days for instruction. The gun sections for the commencement drill were selected from the most proficient students of both groups.<sup>105</sup> This arrangement resulted in the sophomores receiving both infantry and artillery instruction; in February, 1892, they were excused, on their petition, from infantry drill every other week, and in the following year from infantry drill during the winter term.<sup>106</sup>

<sup>104</sup> *The Vidette-Reporter*, January 12, 1892.

<sup>105</sup> *The Vidette-Reporter*, September, 1889, October 11, 1890; *S. U. I. Quill*, October 17, 1891, p. 54.

<sup>106</sup> *The Vidette-Reporter*, February 2, 1892; *S. U. I. Quill*, November 26, 1892, p. 126.

A drill company of sixteen men was organized in 1889-1890 for exhibition drills of the silent manual done in unison.<sup>107</sup>

At this time the University was one of the few institutions having four years of compulsory military work. Illinois, Wisconsin, and Ames had voluntary instruction after the first two years; Kansas had no drill; and Missouri had drill only for those accorded free tuition. Although the faculty did not grant a petition, presented in 1891, that the men in active training for football be excused from military training, this was permitted the following year. A similar petition of the track men the next spring was not granted.<sup>108</sup> Since that time the men on the varsity athletic teams have generally been exempted from the requirements of military drill during their active training season.

The strain on the armory was relieved by the completion of the Y. M. C. A. and Y. W. C. A. building known as Close Hall and the transfer of the gymnasium classes to its rooms. A request of the Regents and the legislative visiting committee that an appropriation be made for the purchase of land between the campus and the river for a parade ground and athletic field was not granted by the legislature.<sup>109</sup> This land was later purchased by the Athletic Union and forms the present Iowa Field.

Guard mount was added to the list of ceremonies for the first time in May, 1890. The annual prize drills were held in 1891 with the award of shoulder straps of appropriate grade to the winners in the different individual

<sup>107</sup> *The Vidette-Reporter*, November 23, 1889.

<sup>108</sup> *The Vidette-Reporter*, September 29, 1892, February 28, April 20, 1893; *S. U. I. Quill*, October 17, 1891, p. 55, December 10, 1892, p. 139.

<sup>109</sup> *Report of the Visiting Committee to the State University*, p. 6, in *Iowa Legislative Documents*, 1890, Vol. II; *The Vidette-Reporter*, June 18, 1890.

events. In the following year the competitive company events were combined with the commencement drill exercises and the individual events were eliminated.<sup>110</sup>

The band was reorganized in 1889 as a distinctly University organization to eliminate the trouble caused by the admission of preparatory students as bandsmen. Several different appropriations were made by the Regents for the purchase of instruments and music. In all cases the leader of the band was a student of the University. The band practiced four hours per week in addition to attending the weekly parades.<sup>111</sup>

#### UNDER LIEUTENANT CHARLES B. VOGDES

Charles B. Vogdes, First Lieutenant, First Infantry, took up his duties in June, 1893, and served for a period of four years, receiving a one year extension of his three year detail.<sup>112</sup> His chief departure in the matter of instruction was the introduction of weekly sophomore recitations on the infantry drill regulations. In 1896 the juniors and seniors were required to take two hours of theoretical work, but in 1897 this requirement was reduced to one hour per week. The indoor drill in the winter was continued, being held in the city armory with two companies drilling at the same time.<sup>113</sup>

Lieutenant Vogdes prepared a textbook, *Notes on Minor Tactics*, which was published by the University and used for several years. The book gave a complete treatment

<sup>110</sup> *The Vidette-Reporter*, May 10, 1890, May 23, June 18, 1891, June 14, 1892; *S. U. I. Quill*, June 18, 1892, p. 197.

<sup>111</sup> *The Vidette-Reporter*, October 12, 1889, April 1, 1893; *Minutes of the Board of Regents*, Book B, p. 558.

<sup>112</sup> *The Hawkeye*, 1890.

<sup>113</sup> *The Vidette-Reporter*, December 18, 1894, January 12, 1897; *S. U. I. Quill*, November 17, 1894, p. 104, November 23, 1895, p. 118, January 11, 1896, p. 152.

of all divisions of tactics in outline form, and was one of the first books published for military instruction at civilian colleges.<sup>114</sup> Practical problems in tactics were also introduced in the spring work of the battalion.<sup>115</sup>

In his last year of service at the University, Lieutenant Vogdes arranged a change of the University schedule whereby all outdoor drills were given at 1:15 P. M. During the winter term the collegiate classes met an hour earlier in the afternoon and the military classes were held at 4:30.<sup>116</sup> The department was hampered in its work of this year because the armory had been converted into a temporary classroom as a consequence of the crowded condition of the other University buildings.<sup>117</sup>

Two credits were allowed for military science — one each in the junior and senior years. These were counted as replacing two of the thirty-six credits required for graduation.<sup>118</sup>

During these four years the drill requirements were made more rigid and fewer exemptions were allowed. Juniors and seniors who were not required as officers or non-commissioned officers were, however, exempted from military training, commencing with the fall of 1894. The first order to this effect issued by the faculty on May 25, 1894, and approved in an extended form on November 2, of the same year, reads as follows:

#### A. REQUIREMENTS.

1. First and second year students, whether registered as regular or special, shall drill in the ranks.

<sup>114</sup> *Minutes of the Board of Regents*, Book C. p. 64.

<sup>115</sup> *S. U. I. Quill*, May 22, 1897, p. 367.

<sup>116</sup> *The Vidette-Reporter*, December 12, 1896, April 3, 1897; *S. U. I. Quill*, October 24, 1896, p. 71.

<sup>117</sup> *Report of the President of the State University, 1895-1897*, p. 29, in *Iowa Legislative Documents*, 1898, Vol. II.

<sup>118</sup> *The Vidette-Reporter*, October 10, 1896.



2. The necessary non-commissioned officers of the grades above corporal shall be chosen from the Junior class, and these shall in addition to their practical work take the first year of the theoretical work. Juniors or third year students not selected as non-commissioned officers may elect whether or not to take the theoretical work.

3. Commissioned officers shall be chosen from the senior class, and these shall take in addition to their practical work, the second year of the theoretical work. Seniors or fourth year students not selected as officers may elect whether or not they will take the theoretical work.

#### B. CREDITS AND RECOGNITION.

1. Juniors or third year students having served their one year as non-commissioned officers and having taken the theoretical work prescribed for juniors shall receive one credit.

2. Seniors or fourth year students who have served also as commissioned officers for one year and taken the theoretical work prescribed for seniors shall receive an additional credit.

3. Seniors having drilled in the ranks for two years and taken all the prescribed theoretical work may receive one credit, whether they have served as officers or not. But to this rule members of the band shall not form an exception,—that is, members of the band who want a credit at the end of their senior year must have taken all the prescribed theoretical work.

4. It is recommended that the organization of the battalion be hereafter published in the annual catalogue; that at least the list of non-commissioned and commissioned officers should appear in the catalogue.

#### C. EXEMPTION FROM MILITARY DUTY.

1. Physical disability. Under this head we recommend (1) that the Battalion Surgeon be urged to distinguish sharply between fitness for drill and fitness for army service. (2) That the Battalion Surgeon be directed by this faculty to grant no certificate of physical disability except on the ground of unfitness for drill as distinguished from unfitness for army service. The committee are of the opinion that being in sufficient possession of the senses of hearing and seeing for the ordinary purposes of life, and ability to carry a gun and to make double-quick time, constitute fitness for drill. (3) The committee suggest that it is very important to dis-

tinguish between temporary and permanent exemption. As a rule, we think the Battalion Surgeon's certificate should be issued for definitely limited periods of time at the expiration of which students should be held to report for further examination. (4) We suggest that the Battalion Surgeon be directed to endorse no certificates from other physicians except for short periods only, not to exceed a week or two, after which students holding such certificates shall report to the Battalion Surgeon for further examination.

2. Financial Inability. This excuse presents itself under two forms: (1) inability to purchase the uniform; (2) the plea of necessity for self-support. The former of these we regard as an insufficient excuse, inasmuch as a military suit can be secured at from \$10 to \$14 and may be worn in the class room and on the street. The committee recognize, however, that it might be a hardship to require a student to buy such suit as a condition of entrance, and we suggest that unless arrangements can be made to furnish such students suits it might be advisable to organize and place such men in non-uniformed squads, until they can provide themselves with suits. As for the second reason, that the time required for drill is needed for labor self-support while in school, we urge that its acceptance by the military committee be strictly always for a limited period of time and subject to renewal only on condition that the military committee are informed of the actual work done by the student applying for exemption on this ground.

3. Conscientious Scruples. As this excuse is entirely subjective it is exceedingly difficult to determine when it is valid, but we suggest that in the case of minors it should be made a question of conscientious scruples on the part of the parent or guardian, and in the case of those of age connection with some public organization in which opposition to war is an article of faith, should alone be taken as evidence.

4. Athletics. We believe that if the foregoing rules are observed we may encourage gymnasium work and out-door sports by excusing men from time to time to serve on athletic teams of the University without impairing the efficiency of the military department, and we suggest: (1) That such excuses should be limited to certain seasons of the year and for express and definite periods of time. (2) A distinction can be made between those athletic exercises in which collective work is essential and those in which it

is of less importance. (3) No student should be excused on account of membership in any of the athletic or track teams until he has learned the rudiments of his duty as a man in the line. (4) We believe it would be expedient in the fall term to excuse members of the foot-ball team, under conditions similar to those of last fall, and in the spring such men as on the Home Field Day win places on the track team, provided that in all cases there is unquestionable evidence of systematic training under the guidance of competent directors, and provided the list does not contain the names of Freshmen or first year students before they have learned their place and duties in the ranks, and provided that no one be in the list of the excused whose average scholarship falls or has fallen within any three months preceding date of application for excuse below F [75%]. (5) We recommend the creation of an Advisory Committee to be composed of the Commandant and the Captains of the Battalion, to which any applications for exemption from military duty may be referred by the Military Committee of the Faculty for advice or information.

#### D. MILITARY DISCIPLINE.

1. That at the beginning of the fall term or sooner this Faculty appoint a committee to act with the incoming Commandant, to draft a simple code of regulations for the guidance of students subject to military duty.

2. These regulations in our judgment should cover among others the following points:

(1) That it is the duty of every male student in the Collegiate Department to report to the Commandant on the day designated for the first drill, or upon the first drill day after such student shall have registered, and that a failure to so report will be counted as an absence from a prescribed military duty. In case a student expects to apply for exemption from military duty, he will so inform the Commandant, who will give him the necessary instructions. Students who may have a certificate of disability should be required to file the same with the Commandant in accordance with the spirit of the above rule. A system of penalties for absences, lates and other delinquencies, for the enforcement of regularity and promptness in the performance of military duty. The delinquencies for which demerits are to be given should be determined by a committee of the Faculty upon the recommendation of the Com-

mandant. The delinquencies and the number of demerits for each, and the penalty should be clearly stated in the printed regulations.

(2) A sufficient number of copies of these regulations should be printed for distribution and a copy furnished to each student at the time of his registration.

(3) We recommend that the Commandant be directed to authorize guard to clear the campus of small boys or other persons who interfere with the seemliness of drill or dress parade.<sup>119</sup>

Additional regulations quoted below were approved on January 11, 1895:

The following rules and regulations, in addition to those already prescribed shall govern in granting excuse from Military drill, on account of work on the athletic teams.

1st. Excuse will only be granted to students of good standing in the Military Department.

2nd. All applications for excuse shall be made in writing to the Athletic Advisory Committee through the Manager of the Athletic Team and the Battalion Commandant, who will endorse thereon their approval or disapproval.<sup>120</sup>

The new system of discipline suggested in the above report was provided for in the following resolution which was approved by the faculty on November 28, 1894:

First—Every officer and non-commissioned officer shall have authority to report students junior in rank to themselves, for any delinquency committed during the hour of drill.

Second—All reports shall be given to the 1st Sergeant of the Company to which the offender belongs.

Third—The 1st Sergeant of each Company shall keep a book, in which shall be entered the names of all delinquent students, with a statement of the offense committed and the name of the officer making the report. This book shall be submitted to the Company

<sup>119</sup> *Minutes of the Collegiate Faculty*, May 25, November 2, 1894; resolutions adopted November 2, 1894, in *Rules and Regulations of the Faculty of the College of Liberal Arts* (in manuscript), 1907.

<sup>120</sup> *Minutes of the Collegiate Faculty*, January 11, 1895.

Commander for his approval, and by him transmitted to the battalion Commandant.

Fourth — On the drill day following that of report, the names of all delinquent students with the offense committed shall be published by the Adjutant of the Battalion.

Fifth — Each student shall be allowed one week to make explanation for any offense for which he is reported. The explanation will be made in writing and in the following form. [The form prescribed included the date, a statement of the offense, and an explanation, signed by the person submitting it, together with his rank in the battalion and his company.]

Sixth — These explanations shall be submitted to a committee of the battalion consisting of the Commandant and the five student Captains, for their action in the matter.

Seventh — In the case of unsatisfactory explanation, or failure to explain in the allotted time, a certain number of demerits shall be given for each offense.

The student's name with the number of demerits awarded shall be entered in a book kept for that purpose.

Eighth — When a student shall have received 100 demerits within the school year, he shall thereby be suspended for two weeks from all work in the University.

Ninth — The following scale shall govern in awarding demerits for different offenses.

1 — Unexcused absence from drill	20
2 — Appearing at drill without uniform or in incomplete uniform	5
3 — Late at drill	3
4 — Inattention in ranks	2
5 — Repeated inattention	10
6 — Minor offenses	1

Tenth — A student shall be counted late at drill who fails to take his place in ranks at the last note of the signal for assembly.

Eleventh — It shall be the duty of the second sergeant of each company to report all students who are late at any formation of the Company; for this purpose he will at the signal for assembly of the Company, place himself opposite the left flank, taking his post as guide on the completion of the formation of the Company.<sup>121</sup>

<sup>121</sup> *Minutes of the Collegiate Faculty*, November 28, 1894.

The scheme of demerits prescribed in the resolution given above was continued in force, with modifications, until 1918. Since that time it has not been applied except as regards unexcused absences. At the present time all drills or lectures missed must be made up, with two "lates" counting as one absence. Unexcused absences must be made up on the basis of two hours for one.

Practically three-fourths of the male collegiate students were taking the required military work. The strength of the battalion varied from 160 to 240 depending upon the season of the year.<sup>122</sup>

Target practice was made compulsory for the freshmen for two hours a week during the winter of 1896. Rifle practice was held at the 200 and 300 yard ranges. A rifle team was formed in the spring of 1895 and attempted to secure interscholastic contests.<sup>123</sup> The following fall the University of Illinois proposed an interscholastic shoot to be held at 200 yards. The invitation was accepted and a rifle range laid out in what is now the City Park. The Iowa team was selected by Lieutenant Vogdes from the men practicing on Saturdays.

The match was fired on May 10, 1897, in competition with the following schools: Massachusetts Agricultural College; the University of North Dakota; Virginia Polytechnic Institute; Seaton Hall College, South Orange, N. J.; Norwich University, Northfield, Vermont; the University of Tennessee; Vincennes University, Vincennes, Indiana; Doane College, Crete, Nebraska; Michigan Military Academy, Orchard Lake, Michigan; the University of South Dakota; Sheffield Scientific School of Yale Uni-

<sup>122</sup> *The Vidette-Reporter*, November 4, 1893, September 28, 1895, October 10, 1896; *S. U. I. Quill*, November 14, 1896, p. 107; *The Hawkeye*, 1898.

<sup>123</sup> *S. U. I. Quill*, October 13, 1894, p. 43, October 27, 1894, p. 68, April 20, 1895, p. 310, January 11, 1896, p. 152.

versity; Cumberland University, Lebanon, Tennessee; the University of California; Pennsylvania Military College; St. John's Military School, Manlius, New York; Ohio Normal University, Ada, Ohio; DePauw University; and the University of Illinois. The State University of Iowa was third in the field with 350 ex 500, the University of Illinois scoring 375 and the Virginia Polytechnic Institute 385.<sup>124</sup>

The blue uniform was still worn by the cadets. A new cap insignia with the company letter mounted upon the emblem of the branch of service was adopted for the enlisted men and the letters S. U. I. upon a wreath for the officers. Regulation cloth chevrons and white stripes were substituted for the gold chevrons and the blue and the red stripes. Officers of the battalion were required to wear the regulation blue dress uniform with concealed buttons, standing collar, and shoulder straps.<sup>125</sup>

The first military ball was held on February 26, 1895, in Smith's Armory. Lieutenant Vogdes had entertained the idea for some time but had not carried it out earlier because of the apparent lack of interest on the part of the cadets. The ball was arranged by a committee consisting of the Commandant, the cadet captains, and a few others. Tickets sold for one dollar. The Armory was decorated with flags and sabers with stacked rifles in various places about the hall and one of the cannon in a corner. About eighty couples attended. Many of the cadets were in uniform.<sup>126</sup>

On February 14, 1896, the second battalion ball was given for the benefit of the Athletic Union. Members of

<sup>124</sup> *The Vidette-Reporter*, October 17, 20, 1896; *S. U. I. Quill*, February 13, 1897, p. 212, May 15, 1897, p. 355; *The Hawkeye*, 1899.

<sup>125</sup> *The Vidette-Reporter*, October 12, 1893; *S. U. I. Quill*, October 27, 1894, p. 67; *The Hawkeye*, 1898.

<sup>126</sup> *The Vidette-Reporter*, January 15, February 7, 12, 16, 28, 1895.

the legislative visiting committee were special guests at this time. The third military ball was given on February 12, 1897. Lieutenant Vogdes offered to finance the party, at which a small deficit was incurred, due to non-attendance of some of the cadets who had promised to attend. This deficit and the advent of the Spanish-American War caused the series to be discontinued for a few years.<sup>127</sup>

The usual activities were continued. An exhibition bayonet squad of eight men was organized in 1894, the members of which held weekly drills of an hour each and gave an exhibition drill in the evening following the State field meet.<sup>128</sup> The Governor's Day exercises were continued, but were now brought into commencement week at the request of the Board of Regents. There were competitive company drills but no individual events.<sup>129</sup>

The battalion and the band attended the G. A. R. encampment at Cedar Rapids on April 28, 1896, to take part in the parade, the expenses being paid by Cedar Rapids and Iowa City people. The excursion lasted from noon to 7:30 P. M. and the cadets were reported by the newspapers as having made a favorable impression.<sup>130</sup> It is recorded that the band also made numerous out-of-town trips with different organizations. Concerts were given on the campus following the weekly ceremonies. The first band promenade was held on May 15, 1896, and consisted of a reception and band concert followed by a dance.<sup>131</sup>

<sup>127</sup> *The Vidette-Reporter*, February 15, 1896, February 11, 13, 1897; *S. U. I. Quill*, February 15, 1896, p. 216, February 13, 1897, p. 213.

<sup>128</sup> *The Vidette-Reporter*, April 17, June 2, 1894.

<sup>129</sup> *Minutes of the Board of Regents*, Book C, p. 44; *The Vidette-Reporter*, June 4, 1895; *S. U. I. Quill*, June 13, 1896, p. 398, May 22, 1897, p. 367.

<sup>130</sup> *The Vidette-Reporter*, April 23, 25, 30, 1896; *S. U. I. Quill*, April 25, 1896, pp. 313, 319, May 2, 1896, p. 330.

<sup>131</sup> *S. U. I. Quill*, May 9, 1896, p. 343, May 16, 1896, p. 356, May 8, 1897, p. 344; *The Vidette-Reporter*, May 16, 1896.



## UNDER LIEUTENANT HANSON E. ELY

The eighth Professor of Military Science and Tactics at the University was Hanson E. Ely, Second Lieutenant, Seventeenth Infantry, who assumed his duties on June 1, 1897, and served until called into active service for the Spanish-American War.<sup>132</sup>

Instruction was carried out in the same fashion as before. Dress parades were held weekly in the fall and spring, with campus band concerts immediately following in the spring. Practical drills were given on the other two days each week. Winter drills were held in Smith's Armory once each week with one company taking the gallery for instruction in the manual of arms and the loadings and firings and the other company occupying the main floor for company drill or calisthenics with the rifle. Theoretical instruction of the three upper classes was held one hour per week. The seniors attended military lectures, the juniors recited on Vogdes's *Notes on Minor Tactics*, and the sophomores recited on the drill regulations. The freshmen were encouraged to take the theoretical work with the sophomores.<sup>133</sup>

## III

## PERIOD OF THE SPANISH-AMERICAN WAR

With the declaration of war with Spain papers were circulated at the suggestion of Governor Shaw. These were signed by those cadets who were willing to go should the battalion be called into active service. All but about fif-

<sup>132</sup> *The Hawkeye*, 1899; *Catalogue of the State University of Iowa*, 1897-1898, p. 7.

<sup>133</sup> *S. U. I. Quill*, October 23, 1897, p. 66, October 30, 1897, p. 74, April 9, 1898, p. 310, April 23, 1898, p. 325; *The Vidette-Reporter*, November 18, 23, December 7, 16, 1897.

teen of the two hundred cadets signed the papers. Lieutenant Ely was elected to serve as major of the battalion if it should be mustered into service: separate elections were held in each company and the battery with the same result. The five captains sent a request to Governor Shaw that Lieutenant Ely should be assigned to command if a call for active duty were made.

Dean Amos N. Currier, Acting President of the University, however, wrote to Governor Shaw and requested him to pay no attention to the petitions of the members of the battalion for active service: they were largely minors, under the "care" of the faculty; many had signed the several petitions who did not mean to; irate parents were expostulating; and, lastly, granting such requests would sweep away the flower of American youth. Governor Shaw replied that the calling out of the University battalion was the last thing he had thought of doing.<sup>134</sup>

When the cadets found that they would not be called for duty as a body they proceeded with the organization of a volunteer battery composed of students from the University and the Iowa City Academy. Although the men of this company went to Des Moines with Lieutenant Ely, they were not mustered into service as the Iowa volunteer quota had been changed from three regiments of infantry and two batteries of artillery to four infantry regiments and two batteries as organized, without volunteer artillery. As a consequence the volunteer battery was disbanded and many of the men volunteered in other organizations. A total of forty-eight men left school to join the volunteers.<sup>135</sup>

Lieutenant Ely was ordered to duty as mustering officer for South Dakota troops on May 7, 1898. F. A. Soleman,

<sup>134</sup> *The Vidette-Reporter*, March 31, April 2, 23, 1898.

<sup>135</sup> *The Hawkeye*, 1900; *The Vidette-Reporter*, April 23, 26, 28, May 3, 1898.

senior captain of the battalion, was appointed major and placed in charge of the instruction for the balance of the year.<sup>136</sup> No government inspection was held, but Governor's Day was scheduled as usual.<sup>137</sup>

#### INSTRUCTION UNDER UNIVERSITY GRADUATES

In August, 1898, the Regents voted to secure the detail of another army officer. When it was found to be impossible to secure such a detail it was thought that military instruction might be given up entirely. In September the faculty voted to abolish the military requirement; but this action was reconsidered and repealed at the meeting on October 7th and a report accepted which provided that the work should be resumed on October 10th, that the time of drill should be limited to the time set apart by the faculty, and that the theoretical work, including tactics, should be limited to one hour per week through the winter term and given only to sophomores and juniors.<sup>138</sup>

Since it was impossible to secure an instructor from the War Department the work was given by graduates of the University for the next three years. These instructors carried graduate or professional studies in addition to their work with the battalion. George Schaeffer, son of a recent President of the University, served as Commandant for the year 1898-1899. He had been the senior captain in 1896-1897 and had graduated from the Collegiate Department in the same year. Frederick S. Holsteen who had been the captain of the battery for 1897-1898 and was enrolled in the Law Department was selected as instructor

<sup>136</sup> *S. U. I. Quill*, May 14, 1898, p. 367; *The Vidette-Reporter*, May 10, 1898.

<sup>137</sup> *The Vidette-Reporter*, May 24, 1898.

<sup>138</sup> *Minutes of the Board of Regents*, Book C, p. 243; *The Vidette-Reporter*, September 17, 29, October 1, 1898; report No. 36, October 7, 1898, in *Rules and Regulations of the Faculty of the College of Liberal Arts* (in manuscript), 1907.

for 1899-1900. He later became a lieutenant colonel in the Iowa National Guard. Gordon F. Harkness, senior captain for the preceding year, was placed in charge for 1900-1901.<sup>139</sup>

The course of instruction under all three of these officers was practically the same, the following entry in the calendar for 1900-1901 being typical:

**FIRST YEAR** — Practical instruction three hours a week, 4:30 to 5:30. Practical instruction in infantry drill, school of the soldier, company and battalion drill, ceremonies, extended order, and general battle formations.

Rifle firing on the University range at 100, 200, 300, 500, and 600 yards.

**SECOND YEAR** — Practical instruction; infantry, same as first year; artillery in service of field guns (foot battery), with mechanical movements and saber exercise; signal corps service and rifle firing, same as first year.

Theoretical: Winter term, one hour a week, 4:30 to 5:30. Recitations: United States army drill regulations and guard duty.

**THIRD YEAR** — Practical, same as second year.

Theoretical: Service of security and information, including general instruction in the theory of outposts, reconnaissance, advance and rear guards, cavalry screen, and maneuvering of troops on the march and field of battle.

**FOURTH YEAR** — Officers' school; practical, same as third year.

Theoretical: General instruction in the maneuvering of troops, strategical operations, and the planning of campaigns.

The work of the fourth year is optional.<sup>140</sup>

The sections dealing with the fourth year were added to the description of the course for the first time in 1900-1901.

In 1898-1899 the battery took a special course in signal-

<sup>139</sup> *Catalogue of the State University of Iowa*, 1896-1897, p. 78, 1897-1898, p. 88, 1898-1899, p. 14; *Calendar of the State University of Iowa*, 1899-1900, pp. 5, 17, 1900-1901, p. 19.

<sup>140</sup> *Calendar of the State University of Iowa*, 1900-1901, p. 147.

ling. During the following year Major Holsteen organized a signal corps in connection with the battery, composed of those students who were physically incapacitated for drill but did not have that appearance. The detachment started with six men but more were expected as infirmities developed among the students.<sup>141</sup> A bugle corps of four men was also organized for the first time in 1901 and received instruction under a chief musician.<sup>142</sup> Several minor points of interest may be noted. The University rifle range which had been closed for five years was reopened for service.<sup>143</sup> Smith's Armory was rented as usual for the three hours per week for the winter drill.<sup>144</sup> The outdoor drills were divided: the battalion drills were held in the athletic park, the company drills on the campus and on Clinton Street, and the weekly parades on the campus.<sup>145</sup> A sham battle was added to the outdoor drills in 1901. The battle was held in Sanders Woods north of town. No casualties were recorded.<sup>146</sup>

All cadets were required to salute the cadet officers when they appeared in uniform on the campus. The system of demerits was continued unchanged except for the award of ten instead of five demerits for incorrect uniform.<sup>147</sup> Governor's Day and the company and artillery section competitive drills were held each year. The field and staff officers and the battery appeared on horseback

<sup>141</sup> *S. U. I. Quill*, December 17, 1898, p. 153; *The Vidette-Reporter*, October 17, 1899.

<sup>142</sup> *The Vidette-Reporter*, May 25, 1901.

<sup>143</sup> *The Vidette-Reporter*, May 25, 1901.

<sup>144</sup> *Executive and Building Committees' Record*, July 18, 1900, to November 20, 1900, p. 23; *The Vidette-Reporter*, November 27, 1900.

<sup>145</sup> *The Vidette-Reporter*, April 10, 1900.

<sup>146</sup> *The Vidette-Reporter*, May 14, 18, 1901; *S. U. I. Quill*, May 18, 1901, p. 376.

<sup>147</sup> *The Vidette-Reporter*, October 9, 1900, April 13, 1901.

for the Governor's Day exercises of 1900 and 1901 and the Memorial Day parade of 1901.<sup>148</sup>

Many different regulations were adopted as a consequence of the large number of students who still managed to get excused from drill under the rules of the faculty. In 1899 and 1901 it was necessary to refuse to excuse men who were on the track team, since the battalion was at a minimum strength because of the large number of excuses. This condition existed in spite of efforts to prevent exemptions on unreasonable grounds and the giving of excuses less freely than in previous years. The returned veterans who were exempted from the requirements accounted, in part, for the large number excused. The military committee was authorized to require one semester of military drill service of those who did not present their claims for exemptions promptly. The names of those excused for athletic sports remained on the company rolls without credit until it was reported that the student had actually been practicing at the drill hour.

The engineering students were excused from drill commencing with the fall of 1900 on account of conflicts with their other work. This policy was continued until the organization of the College of Applied Science when it became possible to so arrange the engineering classes that there should be no conflict. In April, 1901, out of a total of 354 students in the College of Liberal Arts, 197 students were drilling. The Board of Regents made provision in June, 1901, for the excusal of all those with a satisfactory standing in the Military Department who were taking part in athletic sports, provided that not over forty students should be so excused at any one time.<sup>149</sup>

<sup>148</sup> *The Vidette-Reporter*, June 9, 1899, May 12, 19, June 7, 1900, May 25, 28, June 1, 15, 1901.

<sup>149</sup> *The Vidette-Reporter*, April 4, September 28, 1899, October 13, 1900,

In 1900-1901 at the practically unanimous petition of the cadets the uniform was changed to include the regulation army campaign hat and canvas leggings. This change was made in order to save the uniform from the dust and mud of the athletic field and from the mud and snow encountered in the winter on the way from the University Armory to Smith's Armory. A hat costing one dollar and leggings costing fifty-four cents were selected. The campaign hat was to be worn with the regular fedora crease and without lettering or ornaments. The hat and leggings were worn at all drills except ceremonies for which the fatigue cap, white collar, and white gloves were required. In the following year the provision for the hat and leggings as a part of the uniform was rescinded.<sup>150</sup> The University supplied uniforms to band members not in the Collegiate Department and as a result the entire band was uniformed for the first time in 1900-1901.<sup>151</sup>

#### IV

### FROM THE SPANISH-AMERICAN WAR TO THE WORLD WAR

UNDER LIEUTENANT GEORGE R. BURNETT

George Ritter Burnett, First Lieutenant, Ninth Cavalry, retired, was secured as the head of the Military Department for the four year period 1901-1905. He had served at several different military institutions since his retirement from active service on account of physical disa-

April 16, 1901; resolutions of October 13, 1899, and report No. 137, April 6, 1900, in *Rules and Regulations of the Faculty of the College of Liberal Arts* (in manuscript), 1907; *Record of the Board of Regents*, June 7-11, 1901, p. 4.

<sup>150</sup> *The Vidette-Reporter*, October 13, 18, November 3, 8, December 4, 1900; *The Hawkeye*, 1902.

<sup>151</sup> *The Vidette-Reporter*, September 22, 1900, May 25, 1901.

bility. Lieutenant Burnett was given a brevet commission as colonel in the Iowa National Guard in order to give him rank over the cadet officers. Although he had secured an extension of detail he left in 1905 to become Superintendent of Blee's Military School.<sup>152</sup>

The chief change in the work of instruction was the introduction in 1903 of theoretical instruction on the drill regulations and the manual of arms for the freshmen. Instruction of the freshmen was carried out by the captains who thus participated for the first time in the teaching. The sophomore and junior instruction was continued as before together with senior lectures for the officers on army paper work and first aid to the injured. Weekly winter drills were continued in Smith's Armory, two companies drilling at a time, until the completion of the new University Armory after which the battalion drilled as a whole. A special series of ten lessons in physical training was included in the winter training.<sup>153</sup>

Instead of drafting the seniors, Lieutenant Burnett adopted the policy of giving promotions to those men desiring further military work. He also endeavored to make promotions by companies as far as practicable in order to keep the prizes in the same company that had received them and to develop company spirit. The position of cadet major was created for the first time with the appointment of W. O. Coast as cadet major in command of the battalion in January, 1902. A junior major and inspector of rifle practice was appointed the next year.<sup>154</sup>

<sup>152</sup> *Record of the Board of Regents*, June 7-11, 1901, pp. 27, 28, 1903-1905, p. 324; *The Daily Iowan*, March 18, 1902, April 26, 1905.

<sup>153</sup> *The Daily Iowan*, January 8, 15, March 25, 1903, December 3, 1904, January 13, 15, March 8, 1905.

<sup>154</sup> *The Daily Iowan*, October 19, 1901, January 4, September 26, 1902, February 13, 1903.



At the close of the school year in 1903, in accordance with War Department orders, the artillery squad was discontinued, members of the battery being transferred to other companies. The organization was continued as one battalion of four companies and a band—the companies averaging about forty men each.<sup>155</sup>

Several changes were made in the administration of the battalion. Excuses from drill were now to be granted by the faculty instead of by the student committee and it was no longer possible to be excused on account of indifference. Instead of allowing five hours of credit for each of the last two years of military science, one and two-thirds semester hours were allowed for each year of drill completed. Those excused were required to present other credits in lieu of the credits missed.<sup>156</sup> The following report covering these points was approved by the faculty on February 15, 1905:

1. With a view to placing the Military Department on the same relative footing academically as the other departments of the University, it is respectfully urged that Military instruction be considered as "studies" and that academic credit be awarded therefor on the same basis as for laboratory work.

2. That all male under-graduate students, not physically incapacitated, be required to take Military Instruction during their first two years in residence; excepting as provided in paragraphs 3 and 4.

3. That the Military Committee be authorized to excuse at the beginning of each school year, a number of students, not to exceed 10% of the total required registration, on "certificates of honor," that they are working their way through the University, provided however that if any such excuse be revoked by said committee the student be required to make up his deficiency in this work.

<sup>155</sup> *The Daily Iowan*, December 13, 1902, January 15, February 13, 1903, October 1, 1904.

<sup>156</sup> *The Daily Iowan*, October 4, 1902; *Calendar of the State University of Iowa*, 1902-1903, p. 189, 1903-1904, p. 195, 1904-1905, pp. 108, 215.

4. That students registering with junior or senior standing may be excused from the provision of paragraph 2, on written application to the Military Committee.

5. That students presenting credits for military work from institutions where a U. S. Army officer is on duty, shall receive credit here, the same as in like cases for other studies, on the recommendation of the Commandant; provided that in no case shall more credit be allowed for this outside work, than is given for the required course.

6. That such students as elect, with the approval of the Commandant to continue the Military Instruction for another year after the completion of the required course, shall be awarded additional academic credits for the same, provided that in no case shall credit be given for more than three years' work.

7. That in no case shall credit for military work be given unless the full required course of four semesters be taken.

8. That in all cases where students are excused from this work, on no matter what grounds, they shall be required to obtain the full number of credits exacted of other candidates for the degree sought, in order to graduate.

9. That the Military Committee be authorized to dispose of cases not covered by these provisions, as they arise.

10. That these provisions take effect from the beginning of the school year of 1905 and 1906.<sup>157</sup>

The usual rifle work was continued as a part of the instruction. Target practice and gallery practice in the old armory were required of all cadets. The rifle work was conducted largely on the University range across the river in the grove belonging to Euclid Sanders with the firing at the longer ranges for competitions at the Company I range a few miles from town.<sup>158</sup> In 1902 and 1904, the battalion participated in the intercollegiate shoot but was prevented from doing so in 1903 by the flooding of the range

<sup>157</sup> Report No. 377a, February 15, 1905, in *Rules and Regulations of the Faculty of the College of Liberal Arts* (in manuscript), 1907.

<sup>158</sup> *The Daily Iowan*, February 26, March 1, September 26, October 18, 1902, June 15, 1903, May 31, 1905.

by high water. A team was organized for these matches in 1905, but no report of entries or scores was made.

Through the efforts of Lieutenant Burnett several prizes were given to the department for the annual competition. These were a \$75.00 sword offered by Coast and Son to be worn by the captain of the best drilled company, the two C. Yetter medals for the best drilled junior and sophomore, the George Sueppel medal for the best drilled freshman, the H. J. Wieneke medal for the best drilled junior in the battery, and the Burnett medal for the best marksman in the battalion. These are all traveling prizes and have been competed for annually, commencing with 1902. The Wieneke medal has been awarded for various purposes since the giving up of the artillery—usually to the captain of the second highest company in the competitive drill. These drills were made a feature of the work of the department, school being dismissed that all might attend. As many as forty cadets competed for one of the prizes in an individual contest.<sup>159</sup>

About this time the band was increased to thirty-five pieces. It revived the free campus concerts and also the band concert and dance. Such a band dance was held in Smith's Armory on March 15, 1904. The audience packed the building to capacity and over forty couples remained for the dance as guests of the band members, dance music being supplied by an orchestra picked from the band members. Similar band dances were given the following year.<sup>160</sup> By a ruling of the Board of Regents, effective in 1902-1903, a tuition rebate of \$12.50 was allowed for each professional student serving one year in uniform in the

<sup>159</sup> *The Daily Iowan*, March 13, 18, April 3, May 9, 15, 17, 1902, May 26, June 2, 3, 1903, May 16, 24, 31, June 3, 1905.

<sup>160</sup> *The Daily Iowan*, March 15, 16, May 17, October 7, 1904, March 7, 15, 18, April 26, May 27, 1905.

band. This provision was made because of the unkempt appearance of the band which was only partly uniformed. Beginning with 1905-1906 this tuition refund was increased to \$25.00 to not over ten students.<sup>161</sup> The band made its usual trips to athletic contests with the expenses paid by the Athletic Union or by student subscription and to the conventions of different organizations in the State. The band and band orchestra also played at several parties.

#### THE UNIVERSITY ARMORY

The President of the University had voiced the need of a new drill hall as far back as his biennial report of 1881, in which he said:

Our Military Department is sustained without expense to the State. To make it effective we need very much a drill hall that can be used in stormy and in winter weather.<sup>162</sup>

In the report of 1885 a request was made for an armory and gymnasium to cost \$5000 with equipment, and the Regents requested an athletic field and a gymnasium in their report to the legislature in 1887. In 1893 it was reported that the armory in the boiler house was altogether too small for instruction in anything aside from the manual of arms. Another request was made by the Regents in 1895: the battalion was larger than ever before and President Schaeffer asked \$30,000 for an armory building. At this time the legislature allowed a one-tenth mill annual tax for buildings at the University.<sup>163</sup> A committee of the Board of Regents

<sup>161</sup> *The Daily Iowan*, April 16, 1902; *Record of the Board of Regents*, June 10-12, 1902, p. 22, July 22, 1902, p. 18, April 11-13, 1903-1905, pp. 345, 346.

<sup>162</sup> *Report of the President of the State University, 1879-1881*, p. 69, in *Iowa Legislative Documents*, 1882, Vol. II.

<sup>163</sup> *Report of the President of the State University, 1883-1885*, p. 30, in *Iowa Legislative Documents*, 1886, Vol. II; *Report of the State University of Iowa, 1885-1887*, p. 4, in *Iowa Legislative Documents*, 1888, Vol. II; *Report of the State University of Iowa, 1891-1893*, p. 32, in *Iowa Legislative Documents*, 1894, Vol. II; *Report of the State University of Iowa, 1893-1895*, pp. 8, 35, in *Iowa Legislative Documents*, 1896, Vol. II.

recommended the erection of the first wing of the hospital, a Liberal Arts building, and an addition to the Old Stone Capitol for a library in the order named, and advised that an armory should be erected as the fourth building. In this connection the following recommendation was made:

The need of the University is a large auditorium, wherein the commencement attendance can be well cared for — and this can be met by the erection of an Armory that need not cost to exceed \$30,000, and its location need not be definitely named but it probably would be suitably located on or near the west line of the campus. The Military Department needs a drill room badly and this would supply it. . . . The Armory and Auditorium on the West slope, it is suggested, would afford a grand machinery room for the engineering department in the basement story, and which, looking west would be a full story.<sup>164</sup>

In their report of 1899 the Regents said:

The military instruction afforded by the university has proved to be of great value to the young men who have received it, and to the state which has given it, and we believe it is part of the duty of the state university to persevere, even against great obstacles, in giving this instruction. As we are now situated we are compelled to practically suspend this instruction during the entire winter, while neighboring universities are so situated that they can carry it on throughout the whole year without interruption. Ohio, Illinois, Wisconsin and Minnesota all have spacious and well-furnished armories and drill halls, which also serve the purpose of gymnasiums, and give their students not only the benefit of military drill throughout the entire year, but also opportunity to take that systematic and continual exercise so necessary to the health and proper development of either sex. That these opportunities so fully afforded by the universities of neighboring states may be given to the Iowa boys and girls who prefer our own schools, we earnestly recommend that the one-tenth mill tax for buildings be continued for five years more.<sup>165</sup>

<sup>164</sup> *Minutes of the Board of Regents*, Book C, p. 113.

<sup>165</sup> *Report of the State University of Iowa, 1897-1899*, pp. 13, 14, in *Iowa Legislative Documents*, 1900, Vol. II.

The proceeds of the first five years of the one-tenth mill tax were exhausted by the allowances made for the Hall of Liberal Arts and the Regents requested a doubling of the millage tax for the next five years, again calling attention to the need for a drill hall. The General Assembly repealed the one-tenth mill tax at this time and allowed a new tax of one-fifth mill to cover the replacement of the buildings destroyed by fire as well as the erection of new buildings.

On April 9, 1903, the Board of Regents voted to erect a building suitable for an assembly hall, gymnasium, and armory and directed the executive committee to obtain plans for the building. This motion was reconsidered on June 17th, deferred until July, and referred to the building committee for a report on the construction and location of the building. In the meantime, the building committee had directed the architects to prepare preliminary plans for an assembly hall, armory, and gymnasium building which should have a seating capacity of about twenty-five hundred and cost \$100,000, but it was impossible to carry out these plans on account of the lack of funds. In January, 1904, it was decided to construct a brick building for a permanent armory and athletic pavilion and for temporary use as a gymnasium. The building was located on the west half of a block which had been acquired west of the main campus. The east half of this block was cleared for the parade ground which had become a necessity with the erection of the Hall of Liberal Arts on the former parade ground.<sup>166</sup>

The new Armory was completed at a cost of \$31,170 for the building and \$4020 for the equipment, making a total cost of \$35,190. It was 84 by 162 feet in size with a main

<sup>166</sup> *Report of the State University of Iowa, 1899-1901*, pp. 19, 20, 22, 37, in *Iowa Legislative Documents, 1902*, Vol. III; *Record of the Board of Regents, January to June, 1903*, pp. 42, 69, 124, 1903-1905, pp. '8, 93, 255.

drill hall 70 by 125 feet. Offices for the Commandant and the officers of the battalion, and the athletic department and athletic teams were placed in front on the ground floor; general locker and bathrooms and a band room on the second floor; and a general reading room, faculty locker room, fencing and boxing room, and the "I" fraternity room on the third floor. Gun lockers were placed around the main drill floor and a twelve lap running track was located in the gallery. The formal dedicatory exercises were held at the University convocation on February 22, 1905. The building was placed under the control of the Professor of Military Science and Tactics and was designated the "Armory and Athletic Pavilion". With the completion of the building, the Regents made provision for an instructor in physical training for the first time since 1865.<sup>167</sup>

#### THE MILITARY BALL

The military ball was revived with the giving of the fourth ball in 1902 and has been an annual affair ever since. Governor and Mrs. A. B. Cummins and the Governor's staff were present at the ball which was held in Smith's Armory on April 18, 1902. A review by the Governor took place in the afternoon, followed by a dinner given by President and Mrs. George E. MacLean for the Governor's party and the cadet officers. The dance in the evening was reported to have proven most popular. Ninety-three couples were in attendance, a new attendance record for University parties being made. The ball was given by a committee of the first sergeants of the battalion and battery and decorations were carried out in the national col-

<sup>167</sup> *The Daily Iowan*, January 20, 27, February 18, 21, 23, March 1, 1905; *Record of the Board of Regents*, 1903-1905, p. 314.

ors with various articles of military equipment worked into the designs.<sup>168</sup>

The following year the ball was given on May 15th by a committee of officers appointed by Lieutenant Burnett. It was held for the benefit of the Athletic Union and the admission was fixed at \$3.00. This price was continued until the war—with the exception of the year 1908 when the party was made informal. The ball was said to have been the most popular of all of the University parties.<sup>169</sup>

The University band played the two-steps for the seventh military ball in 1905 and an orchestra selected from the band members played the waltzes. This dance was arranged by the company commanders and was held in the newly finished University Armory, in which place the subsequent military balls have all been given.<sup>170</sup>

Twenty-four military balls have been held to date—1922. They were conducted by the cadet captains of the regiment until 1917 when Scabbard and Blade assumed control. Since that time the cadet captains and field officers have formed the committee with the cadet colonel as chairman. With the growth of the regiment and the increase in the number of officers the committee became unwieldy and commencing with 1922 it has been reduced to the cadet field officers. The decoration of the Armory by the committee instead of by contract has allowed the use of more elaborate decorations than for the class parties and without greater expense. Before the war, in particular, the decorations became so elaborate that the work covered two or three days. The decorations are always carried out in red, white, and blue with flags or ornate designs of bayonets or sabers worked in.

<sup>168</sup> *The Daily Iowan*, February 25, April 4, 15, 16, 19, 1902.

<sup>169</sup> *The Daily Iowan*, February 21, April 30, May 16, 20, 1903.

<sup>170</sup> *The Daily Iowan*, February 14, 24, March 1, 1905 (advertisement).



The profits are usually devoted to some purpose connected with the regiment; the present regimental standard was purchased with the accumulated profits of several years and the club rooms of the Officers' Club were fitted out with a similar fund. It is customary to have the Governor of Iowa and his staff and the senior army officers of the State present whenever possible. The cadets have always worn their cadet uniforms except for a few years after the change to the olive drab uniform when civilian full dress was customary. During and since the war the cadet officers have attended in the uniforms of their rank and the others have been at liberty to choose either uniform or formal civilian attire. The military ball has the distinction of being the oldest of the annual University parties which are still being given, the first to extensively decorate the University Armory, and the first to introduce leather, celluloid, and metal programs.<sup>171</sup> "The fact that every cent taken in, and often more, is put into the Military ball by the committee, makes the party one anticipated with considerable pleasure every year." "The military ball has always been conceded the best decorated formal of any of the big university parties".<sup>172</sup>

#### UNDER LIEUTENANT CHARLES W. WEEKS

#### Charles Warren Weeks, First Lieutenant, Thirtieth In-

<sup>171</sup> The military balls have been held on the following dates: February 26, 1895; February 14, 1896; February 12, 1897; April 18, 1902; May 15, 1903; April 8, 1904; March 3, 1905; February 21, 1906; May 10, 1907; January 17, 1908; January 15, 1909; April 1, 1910; January 13, 1911; January 12, 1912; April 4, 1913; January 9, 1914; January 8, 1915; January 21, 1916; January 5, 1917; January 11, 1918; May 9, 1919; April 9, 1920; January 7, 1921; and January 13, 1922. For further data consult the University papers for the weeks immediately preceding and following these dates.

The first junior prom was held in April, 1896, the first senior hop in June, 1897, and the first sophomore cotillion in November, 1897.—*The Vidette-Reporter*, April 21, 1896, June 10, November 2, 1897.

<sup>172</sup> *The Daily Iowan*, November 15, December 12, 1913.

fantry, served as Professor of Military Science and Tactics for a period of four years commencing in September, 1905, his detail having been extended for one year beyond the usual three year period.<sup>173</sup>

The first step taken by Lieutenant Weeks was the reduction of the number of students excused from drill on flimsy pretexts. This was accomplished through the coöperation of the faculty military committee. These excuses usually resulted from the abuse of the exemptions extended to those who were working their way through school. At the suggestion of Lieutenant Burnett, the military requirement had been reduced to two years' work, since most other schools required only that amount but, at the same time, the requirement was changed to include three hours per week throughout the year to partly compensate for the reduction, and the requirement of military training was made more nearly universal. It was also possible to require physical training of those exempted from military training since the University now had an instructor in that subject. These changes were embodied in the following rules of the Liberal Arts faculty which were adopted on December 13, 1905:

1. That the one hundred twenty credits now required of all students for graduation, in the case of students hereafter matriculating in the College of Liberal Arts, shall be regarded as *scholastic credits*.

2. That in addition to the scholastic credits four hours of military drill shall be required of all male students for graduation; and in case military drill is not taken, an equivalent in hours of physical training shall be required for graduation of all students men or women.

3. In case a student shall not, for any reason take the required work in either military drill or physical training, he or she shall be

<sup>173</sup> *Calendar of the State University of Iowa*, 1905-1906 to 1908-1909 inclusive; *The Daily Iowan*, December 12, 1907.

required to present one hundred twenty-four scholastic credits for graduation.

4. In case a student shall continue military drill and physical training beyond the required number of hours, an allowance not to exceed two hours shall be made for such extra work.

5. That all male undergraduate students shall be required to take military drill during their first two years in residence; excepting as provided for in paragraphs No. 6, No. 7, and No. 10 of this report.

6. That students matriculating with junior or senior standing shall not be required to take military drill.

7. That in case a student in his first or second year who has not been matriculated with junior or senior standing, be excused from military drill, he shall be required to take physical training during the year for which he is so excused. In case a student be excused from both military drill and physical training, such action shall be considered in the nature of a postponement; and, unless such student be permanently incapacitated for such work he or she, shall be required to take the work or its equivalent before being graduated from the College of Liberal Arts.

8. That physical examinations under the supervision of the Department of Physical Training and Athletics shall be required of all students entering the College of Liberal Arts.

9. That students matriculating with junior or senior standing must register for physical training unless excused therefrom by the Committee on Military and Physical Training or the Committee on the Physical Training of Women.

10. That students presenting credits from other institutions for either military or physical training shall receive an equivalent number of hours here, on recommendation of the heads of the departments respectively concerned, provided no more hours shall be allowed than are given for the required courses.

11. That in the adjustment of their work between the two departments of Military Science and Physical Training and Athletics no more than a total of six semester hours can be earned in connection with the work of the two departments, of which four only shall count for graduation.

12. That in no case shall the work in military drill or physical training be considered as completed unless the full required course of four semester hours be taken.

13. That for the purpose of carrying out all provisions with reference to the two departments concerned in this report, there shall be two committees: the first shall be known as The Committee on Military and Physical Training; the second shall be known as the Committee on Physical Training of Women. . . .

The former Committee shall be a combined committee, representing the Colleges of Liberal Arts and Applied Science and shall consist of five members. Two of these shall be ex-officio the heads of the two departments concerned. Of the other three members of the Committee one shall have no work in the College of Liberal Arts, and one shall have no work in the College of Applied Science, and the other member shall be one who has work in both colleges, and he shall act as Chairman of said committee.

14. The Committee on the Physical Training of Women shall be authorized to excuse women from physical training; provided, however, that in case any such excuse shall be revoked by said committee, such excused student shall be required to make up her deficiency in this work.

15. The Committee on Military and Physical Training shall have like power in the case of the men with the same proviso.

16. That hereafter in providing legislation affecting the whole body of students in the College of Liberal Arts, the two committees the one on Military and Physical Training and the one on the Physical Training of Women shall constitute a joint committee to prepare and report such legislation, the chairman of the larger committee acting as chairman of the same.

17. That any provision in this report, annulling the provisions of reports adopted prior to the present University year, with reference to the credits which students already matriculated may earn, shall be considered as not applicable to such students. Any provision in this report annulling the provisions made in previous reports adopted since the opening of the present university year shall go into immediate effect.

These rules served to increase the work required for graduation as the military training credits had previously been counted as a part of the required credits but now were merely additional work, with the exception of the credits allowed for the third and fourth years.

With the organization of the School of Applied Science the exemption of engineering students from military duty had been withdrawn. This action was confirmed by the faculty of the College of Applied Science when it was organized as a separate college and the students were required to take two years of military work. The administration of the drill requirements was placed in the hands of a joint committee selected from the faculties of the Liberal Arts and Applied Science colleges.<sup>174</sup>

Another step taken by Lieutenant Weeks to improve the morale of the cadets was a change of uniform. The old blue uniforms had been passed down from class to class until they were green with age: some of the boys seemed to be wearing the uniforms worn by their fathers before them. The change to the cadet gray uniform of the West Point pattern with a standing collar was made in the third and fourth years of Lieutenant Weeks's detail. Band members wore the regulation dark blue dress uniform with white stripes. The same uniform was worn by cadets and officers alike thus saving the purchase of another uniform by the third and fourth year men. All uniforms were required to be made to measure to insure a good fit and no men were allowed to drill with their companies until they had secured their uniforms.<sup>175</sup>

Beginning with the year 1906-1907 the schedule of instruction was rearranged so that the theoretical classes were held one hour each week throughout the school year and drill was held two periods per week. The freshman classes covered the *Infantry Drill Regulations* and the

<sup>174</sup> Report No. 426, November 22, 1905, in *Rules and Regulations of the Faculty of the College of Liberal Arts* (in manuscript), 1907; *Minutes of the Faculty of the College of Applied Science*, December 8, 1905, January 5, 20, February 2, 1906; letter of Lieutenant Colonel Weeks, dated July 4, 1922; *The Daily Iowan*, March 31, 1905.

<sup>175</sup> *The Daily Iowan*, September 18, 1906, September 22, 1907.

*Manual of Interior Guard Duty*, the sophomores the *Infantry Drill Regulations*, the juniors the *Small Arms Firing Regulations*, and the seniors the *Field Service Regulations*. The cadets were divided into some twenty-five small sections for theoretical instruction by the cadet officers. A mock court martial was added as a part of the theoretical instruction in 1908 and attracted much interest from the papers throughout the State. New cadets were assigned to their companies at once and the special "awkward squads" abolished and as a result of this change, the cadets were reported to be two months ahead of the customary schedule. A new grading system was adopted in connection with instruction, on which basis twenty demerits or less were credited as "very good", twenty to fifty demerits as "good", fifty to eighty demerits as "fair", eighty to one hundred as "failed" or "conditioned", and more than one hundred became cause for suspension from the University.<sup>176</sup>

Target practice was continued as far as the annual ammunition allowance by the War Department would permit. Sub-calibre practice was substituted for practice with service ammunition and a gallery was erected in the Armory to take the place of the dangerous fifty foot range on Iowa Field. The University rifle team finished third in the intercollegiate outdoor rifle meet of 1906 with a score of 350 ex 500, Shattuck Military School taking first with 403. In 1907 the University team took sixth place in the national intercollegiate indoor meet with a score of 341 ex 500, California taking first place with a score of 402.<sup>177</sup>

<sup>176</sup> *The Daily Iowan*, February 7, October 31, 1906, March 1, 1908; *The Hawkeye*, 1909; *Calendar of the State University of Iowa*, 1908-1909, p. 217.

<sup>177</sup> *The Daily Iowan*, April 5, October 4, 1906, March 24, April 10, 17, May 17, September 26, 1907, February 21, 1908, October 21, 1916; *Report of the President of the State University*, 1906-1908, p. 38, in *Iowa Legislative Documents*, 1909, Vol. II.

The usual annual ceremonies were continued. Governor's Day was moved back to the Friday before commencement. The University presented sabers to all captains and majors in the regiment upon the completion of a year's service. This custom was continued until the abolition of sabers during the World War. Weekly ceremonies were held during spring drill and, in 1909, retreat was held semi-weekly at the conclusion of drill.<sup>178</sup>

It was necessary to add a fifth company to the battalion in September, 1906, and a sixth company in the following year, thus forming a regiment of six companies, a band, and a bugle corps composed of two trumpeters from each company. Promotions were made upon the basis of written competitive examinations, the non-commissioned officers being selected from the sophomores, the subalterns from the juniors, and the captains from the seniors.<sup>179</sup>

The old Springfield rifles were finally discarded in favor of the Krag-Jorgensen rifles in the summer of 1906. There were two hundred and eighty cadets that fall and only two hundred rifles, so one hundred additional rifles were secured. The muzzle loading cannon of the model of 1862 which, since the disbanding of the battery, had been used merely for military ball decorations and the firing of the Governor's salute were returned to the Rock Island Arsenal.<sup>180</sup>

The Varsity Rifles were organized by Lieutenant Weeks in October, 1905, as a voluntary crack drill company, for the purpose of fostering a military spirit among the cadets. The organization was patterned after one of a similar

<sup>178</sup> *The Daily Iowan*, April 10, 1907, February 29, June 3, 15, 1909; *Minutes of the Faculty of the College of Applied Science*, November 22, 1907.

<sup>179</sup> *The Daily Iowan*, October 3, 1906, October 4, 15, 1907, March 8, October 1, 1908; *Calendar of the State University of Iowa*, 1908-1909, p. 215.

<sup>180</sup> *Record of the Board of Regents*, 1905-1908, pp. 222, 279; *The Daily Iowan*, September 18, 28, October 31, November 14, 1906, February 14, 1908.

nature which had been started at the University of Nebraska by the Commandant, Lieutenant John J. Pershing, and was later known as the Pershing Rifles. Sixty men — about one-fourth of the battalion — attended the first meeting, the membership usually ranging from thirty to sixty men. Membership was voluntary, the new members being elected. The requirements for membership were regular attendance at drills one night per week over and above the battalion drills, and absentees were required to pay a fine unless excused by the captain. Officers were elected by the club, the Commandant being elected the captain in each case.

The meetings were devoted to weekly drills and competitive spell-downs. Medals donated by Lieutenant Weeks were awarded to the high ranking men at the end of the year and later a gold watch fob was awarded to each man winning five spell-downs during a year. Exhibition drills were held in connection with the physical training exhibitions and on Governor's Day. Efforts were made to hold competitive drills with the Cummings Rifles of Ames, the Nebraska University Rifles, and the University of Illinois but proper railroad arrangements could not be made. On one occasion the Ames company had no rifles. Special drills, cavalry formations, marching, and Butts's *Manual* were also taken up. Since it was impossible to arrange competitive drills with other schools, in 1908 an excursion was made to the Rock Island Arsenal. In addition to the military side of the organization a club room was maintained in the Armory. The Rifles were continued under Lieutenant Mumma with practically the same practices but were discontinued or allowed to drop soon afterwards.<sup>181</sup>

<sup>181</sup> *The Daily Iowan*, October 26, 1905, March 6, 8, May 24, November 15, 1906, February 13, March 26, April 10, 24, October 2, 3, 25, November 1, 1907, March 20, November 18, 1908, March 7, June 9, November 4, 19, March 16,



During 1906-1907 the cadet officers attempted to have "cadet informal" in the Armory on alternate Saturday afternoons. Cadets were asked to attend in uniform and music was to be supplied by a special orchestra selected from the band members. It was believed that there was need of properly supervised Saturday afternoon dances to replace the numerous small dances held during the week, but after the first dance the series was vetoed by the social committee of the Board of Deans on the ground that the amount of dancing at the University should not be increased and that such a dance would not replace the others.<sup>182</sup> Cadet hops were not held again until 1909 when the cadets gave a series of informal evening dances during the winter. Uniforms were not obligatory and the dances were not limited to members of the regiment.<sup>183</sup>

With the appointment of Henry G. Cox, instructor in the School of Music, as bandmaster in 1906, the band was directed by a professional director for the first time. The band was increased to over fifty pieces during that year but was again decreased to about half that number for some years following. The usual concerts were given at the University and, in addition, one was given at the Burtis Theater at Davenport, on March 15, 1907. Two band concerts and dances were given in the Armory the same year.

In 1907-1908 the band was reorganized and made more of a military organization and the members were allowed to divide the proceeds of the concerts and dances among themselves. Two band dances were given that year, and one concert dance, eight dances, and three concerts in 1908-1910; *The Hawkeye*, 1909, 1910; *Report of the President of the State University*, 1905-1906, p. 30, in *Iowa Legislative Documents*, 1907, Vol. III; letter of Lieutenant Colonel Weeks, dated July 4, 1922; letter of Lieutenant Colonel Mumma, dated July, 1922.

<sup>182</sup> *The Daily Iowan*, December 20, 1906, January 13, 18, 25, 1907.

<sup>183</sup> *The Daily Iowan*, January 29, 31, February 9, 14, March 11, 1909.

1909. The members of the musicians' union were prevented from playing at the football games with non-union men and, as a result, all the union bandsmen and students playing in dance orchestras withdrew from the local union.<sup>184</sup>

#### PRACTICE MARCHES AND ENCAMPMENTS

The chief change in instruction made by Lieutenant Weeks was the introduction of an annual practice march and encampment as a part of the program. A movement had been set on foot by certain cadets to have a three or four day encampment in 1894. The cadets of the University of Missouri were having an annual forced march followed by such a week-end encampment and similar camps were held by other institutions. The faculty approved the project if the camp could be held without expense to the University. Lieutenant Vogdes requested such a camp in 1895 but the Regents refused a petition of the students to that effect because it was not practicable at the time. Major Harkness planned such a battalion encampment and maneuvers to be held at Black Springs in 1901. The camp was approved by the Board of Regents and referred to the faculty who "unanimously fell afoul the proposition".

Lieutenant Weeks had directed a four day encampment at the University of Nebraska in 1905 and proposed a similar encampment at Iowa in 1906. This camp was not held because of a lack of sufficient number of cadets willing to take part. In 1907 a petition of one hundred and four members of the battalion for leave of absence for three days for participation in a practice march was granted by the Liberal Arts faculty and a similar petition from seventy men was granted by the Applied Science faculty. The Board of Regents appropriated \$40 for the transportation

<sup>184</sup> *The Daily Iowan*, September 23, December 2, 7, 1906, March 17, April 9, 21, November 3, 8, 1907, October 18, 1908, January 12, February 24, 1909.

of camp supplies, and the remainder of the expenses—amounting to about \$3.50 per man—was borne by the cadets. Tentage was supplied by the Iowa National Guard.

The camp was to be held at Mid River commencing on May 2nd. A march of eleven miles under full equipment was to be made up the east side of the river with camp pitched nine miles north of town the first night. Dinner on Friday, May 3rd, was scheduled at North Liberty. One company was to become an enemy detail and skirmishes were to be held between North Liberty and Iowa City on the return. An advance to dislodge the enemy was to be made against Mahaffa's Bridge twelve miles north of Iowa City and the return made Saturday with a final sham battle held in the City Park. It was very warm the first day and the baggage of the cadets was reduced to a minimum, but by the time the tents were pitched rain had begun to fall and it was turning colder. The rain changed to sleet and the next morning there was a steady snow fall. One company was sent on ahead as a retreating party and the return was made on the second day.<sup>185</sup>

The second camp was held on May 23 to 26, 1908. Attendance was not compulsory but those who did not volunteer were required to pass an examination before receiving credit for the year's work. A deposit of \$3.00 was required to cover expenses. The march up the river was made on Saturday, May 23rd, with dinner at North Liberty. Camp George E. MacLean was pitched at Mid River Park.

<sup>185</sup> *The Vidette-Reporter*, April 24, May 12, 1894, February 2, April 6, 1901; *S. U. I. Quill*, January 12, p. 165, January 19, 1895, p. 170; *The Daily Iowan*, March 21, May 10, 1906, February 19, March 10, 19, April 25, 30, May 2, 3, 5, 1907; *Minutes of the Board of Regents*, Book C, pp. 34, 44; *Record of the Board of Regents*, April 3, 1901, p. 19, 1905-1908, p. 285; *Minutes of the Liberal Arts Faculty*, February 27, May 8, 1907; *Minutes of the Faculty of the College of Applied Science*, March 8, 1907; *The Hawkeye*, 1909; letter of Lieutenant Colonel Weeks, dated July 4, 1922.

Dress parade and a band concert were held on Sunday and a sham battle and maneuvers were held on Monday with the return on Tuesday. Inter-organization baseball games were also held on Monday. The chief drawback to this camp was the almost continual rain.<sup>186</sup>

In 1909 the camp was held at West Liberty from May 29 to June 1. Camp Charles Warren Weeks was made on the West Liberty fair grounds. Maneuvers and march problems illustrating different tactical principles were held on the fourteen mile march to West Liberty. Saturday was devoted to the march and to making camp. The entire regiment participated in the Memorial Day services at West Liberty on Sunday, and the annual company and individual competitive drills were held on Monday. Tuesday was devoted to a military field day, with the return to Iowa City made by rail in the afternoon. The band did not take part in the march but rode to West Liberty and met the cadets a mile from town.<sup>187</sup>

Lieutenant Morton C. Mumma continued the practice marches with an encampment at West Liberty from May 20 to 23, 1910. Camp B. F. Carroll had been laid out by the engineering students who had preceded the regiment. New field equipment had been secured from the government during the year. The first battalion left Iowa City at 6:00 A. M. Friday morning followed by the second battalion at 7:30. An ambush and attack problem was carried out about seven miles from town. Preliminary competitive drills were held on Saturday morning but rain prevented the holding of additional maneuvers. Chapel ser-

<sup>186</sup> *Minutes of the Liberal Arts Faculty*, February 26, 1908; *Minutes of the Faculty of the College of Applied Science*, May 1, 1908; *The Daily Iowan*, February 21, March 12, 13, April 9, 29, May 8, 19, 24, 26, 27, 1908, June 3, 1909; *The Hawkeye*, 1910.

<sup>187</sup> *The Daily Iowan*, April 20, May 13, 20, 28, 30, June 1, 2, 1909; *The Hawkeye*, 1911.

vices with addresses by Chaplain D. W. Wylie and Major C. S. Grant, battalion surgeon, took place in the morning with a dress parade and band concert in the evening. On Sunday the Adjutant General of Iowa and other prominent National Guard officers were guests of honor. The afternoon was devoted to the trial by court martial of a cadet who was accused of stealing a bucket of reveille. Monday was featured by the fourth annual shirt-tail parade, field day, and the competitive drills. The return trip was made over the Rock Island in the afternoon.<sup>188</sup>

The 1911 camp was held on the West Liberty race track from May 27th to 30th. The entire regiment entrained for Downey in order to avoid the strain of an all day march for inexperienced men, and took part in field maneuvers between that place and West Liberty. Guard mount was held on Saturday and a guard posted for the entire camp, to prevent absences without proper authority. Ceremonies, chapel services, band concerts, competitive drills, and field days were held as usual.

Six negro cooks from Des Moines supplied the following bill of fare. Sunday: breakfast—fried bacon and eggs, oranges, bread, butter, coffee, and milk; dinner—stewed chicken with gravy, mashed potatoes, peas, bread, butter, iced tea, ice cream, and cake; supper—cold boiled ham, potato salad, stewed prunes, bread, butter, coffee, and milk. Monday: breakfast—pork chops, fried potatoes, fried eggs, bread, butter, coffee, and milk; dinner—roast beef, brown gravy, roast potatoes, stewed tomatoes, bread, butter, coffee, and milk; supper—baked pork and beans, baked potatoes, sweet pickles, bread, butter, coffee, and milk. This menu is typical of those of the different encampments.<sup>189</sup>

<sup>188</sup> *Biennial Report of the Iowa State Board of Education*, 1909-1910, p. 71; *The Daily Iowan*, May 6, 12, 18, 22, 24, 1910; *The Hawkeye*, 1912.

<sup>189</sup> *The Daily Iowan*, May 25, 26, 28, 30, June 1, 1911; *The Hawkeye*, 1913.

Camp Bowman was held at West Liberty from May 18 to 21, 1912. The march started from Downey and practically the same schedule was carried out as in the previous year except for the addition of battalion ball games.<sup>190</sup>

Lieutenant C. S. Hoffman attempted to hold a camp in 1913 but was unable to secure tentage from either the Adjutant General or the War Department because of its use by the troops on duty along the Mexican border.<sup>191</sup>

Lieutenant Phinney made arrangements for renting one hundred and fifty tents from a private concern and was able to hold a camp on the State rifle range at Mid River from May 15 to 18, 1914. More attention was paid to the practical maneuvers and less to formal drill than in previous years. The regiment entrained to North Liberty and marched from there to the camp site. The afternoon was spent in making the camp ready and the evening in a bonfire and band concert. Maneuvers simulating Mexican campaign conditions were held about the camp on Saturday. Leave of absence for the field meet in Iowa City was granted in the afternoon. A demonstration of a night attack on the camp was held in the evening. Competitive tactical drills replaced the customary competitive infantry drills on Monday. Field work was held every evening after supper.<sup>192</sup> The two orders dealing with the camp are reprinted as they represent the general details of the different camps:

May 7, 1914.

#### GENERAL ORDERS

##### No. 6

1. The annual encampment of the Cadet Regiment will be held at the State Target Range near North Liberty, Iowa, May 15, 16,

<sup>190</sup> *The Daily Iowan*, May 9, 16, 17, 19, 21, 22, 1912; *The Hawkeye*, 1914.

<sup>191</sup> *The Daily Iowan*, May 16, 27, 1913.

<sup>192</sup> *The Daily Iowan*, March 10, May 14, 15, 17, 19, 1914.

17, 18. The Camp will be named "Camp Macbride" in honor of the President of the University.

2. All students in the Military Department are required to attend, except such as are excused by the Regimental Surgeon, Dr. Van Epps.

3. The cost of the Camp to each cadet will be \$3.50. This amount will be paid to Company Commanders, and by them deposited with the Commandant before 6 o'clock p. m. May 11.

4. Cadets may invite guests for Sunday dinner, but will be required to notify the Commissary of the number of such guests before 10 o'clock a. m. May 16. The cost for each guest will be 25 cents.

5. The following articles of equipment will be issued to each cadet, and carried on the march, carefully cared for in Camp and returned in good condition: haversack, canteen, cartridge-belt suspenders, meat can, knife, fork, spoon, and tin cup. This equipment is the property of the United States, and lost or damaged articles will be charged to the responsible cadet at the Ordnance price.

6. The above mentioned equipment will be issued to companies as follows: "H. C.", "A" and "B", May 11; "C" and "D", May 12; "E" and "F" Band and Field Officers, May 13. Issues will be made between 3:30 and 5:30 p. m.

7. Each cadet will pack in a suit case, telescope, or other bag, which will be plainly marked with his name and Company, the following articles: Uniform blouse, trousers, and cap, white gloves, pair of black shoes, extra collars, extra shirt, two suits of underwear, two pairs of socks, one bath towel, one face towel, hand mirror, comb, brush, tooth brush, soap, handkerchiefs, a small bottle of 3 in 1 oil, and some cleaning rags. A rain coat may also be included. Civilian clothing other than that worn on the march, will not be permitted in camp.

8. Each cadet will roll up, tie, and plainly mark with his name and company such bedding as he may care to take, not to exceed three blankets or the equivalent.

9. Suit cases and bedding rolls will be brought to the Armory on Friday morning, May 15, not later than 7:30 at which time the companies will be fallen in and marched to the siding near the Engineer shops and the suit cases and bedding rolls deposited in the baggage car under the supervision of the company commanders.

10. The regiment will proceed as follows: May 15, First Call 7:50, Assembly 8:00 a. m. The regiment will entrain at the Armory, and proceed to North Liberty, at which point it will de-train and march to the Target Range.

11. Cadets are cautioned to wear a shoe which gives ample room, a heavy one with a stout sole. Under no circumstances should a new, or low cut shoe be worn. . . .

13. The program for competitive field exercises will be announced later.<sup>193</sup>

May 15, 1914

#### GENERAL ORDERS

##### No. 7

1. The following service calls are in effect this date:

1" call	5.45 a. m.	Mess Call	12.15 p. m.
March	5.55	Mess Call	5.30
Reveille	6.00	Drill, 1" Call	7.10
Mess Call	6.20	Assembly	7.15
Drill, 1" Call	7.10	Taps, one hour after Recall	
Assembly	7.15	from evening drill.	

#### Inspection

1" Call 11.50

Assembly 12.00 noon

2. At inspection each cadet will fold his blankets and place them on his suit case at the door of his tent. His equipments and mess gear will be placed on his blankets in such manner that every part will be displayed. Companies will fall in under arms. Tent walls will be rolled up.

3. Uniform. The Cadet uniform will be worn at Inspection, when absent from the Camp on pass, and on Sunday. At other times civilian clothing will be worn.

4. Before leaving the camp for purposes other than drill, all men will report to their company commanders for inspection.

5. Cadets will not bathe in the river above the Camp.

6. Smoking is prohibited inside the tents.<sup>194</sup>

In 1915 it was necessary to give up the camp after the

<sup>193</sup> From the printed order in the files of the Military Department.

<sup>194</sup> From the manuscript order in the Military Department files.



tentage and supplies were already on the ground. Rain had fallen almost continuously for a week and it was thought dangerous to put the men in the field without ponchos. The plans had been made for one battalion to set out from Homestead and one from Iowa City and meet for a general engagement the second day. Battalion camps were to be pitched the first night and regimental camps the second and third nights. The third day was to have been devoted to a retreat problem on the way back to Iowa City and the fourth day to the return march.

No camp was held in 1916 because of the delay of the faculty in approving the date. It was planned to hold the 1917 camp for a week at commencement time and it was to be close enough to Iowa City for the commencement visitors to visit it. The War Department had agreed to furnish tentage to the Reserve Officers' Training Corps unit provided the camp was not less than a week in duration, but the plan had to be given up with the declaration of war. These tactical marches and encampments have not been resumed since the war because the summer military training camps have been replacing them, at least partially.<sup>195</sup>

#### UNDER LIEUTENANT MORTON C. MUMMA

Morton C. Mumma, First Lieutenant, Second Cavalry, served his first tour of duty as Professor of Military Science and Tactics from 1909 to 1912. He was promoted to a captaincy on March 3, 1911. In addition to his military duties he served as assistant baseball coach and acted as official in numerous collegiate football games.<sup>196</sup> An assis-

<sup>195</sup> *The Daily Iowan*, May 12, 23, 1915, April 7, September 20, 1916, May 22, 1917; letter of Lieutenant Phinney to Major Andrew Moses, dated June 12, 1915.

<sup>196</sup> *Catalogue of the State University of Iowa*, 1909-1910 to 1911-1912 inclusive; *The Daily Iowan*, February 21, 1909, March 2, October 4, 21, 1910.

tant was added to the department for the first time in 1911 with the appointment of William DeForest Rahming, Regimental Sergeant Major of Cavalry, retired, as assistant commandant. He has been on duty with the department ever since this time with the exception of the period of the war when he was commissioned and called to active duty.<sup>197</sup>

The drill schedule was changed during Lieutenant Mumma's first year by the scheduling of drill in sections at different hours throughout the day instead of having all organizations drill together after school. All companies drilled together for regimental and battalion instruction one hour per week. Practical drill was held three hours weekly in the fall and spring, with military lectures substituted for one hour of drill in the winter. Morning drill at 6:00 A. M. was introduced in the spring of 1910. Drill was held at this time to avoid the heat of the day and to make it possible to have daily drills in order to present a better appearance at the government inspection. All drills were to be discontinued after the completion of the required number of hours.<sup>198</sup>

Less emphasis was placed upon exhibition drills and more upon tactical instruction and the principles of command. Several sham battles were held to give field instruction to the cadets. Full equipment for the "War Game" was purchased and this form of instruction was added to the course. Schools for battalion officers and non-commissioned officers were also added. Physical training was given in place of a part of the winter class work. It was necessary to restrict the indoor drill in the Armory to two

<sup>197</sup> *Records of the Board of Education*, Book B, p. 197; *The Daily Iowan*, May 28, September 19, 1911.

<sup>198</sup> *The Daily Iowan*, September 30, 1909, March 25, 30, April 13, 1910, November 29, 1911, April 3, 1912; *Minutes of the Faculty of the College of Applied Science*, March 25, 1910; *Minutes of the Liberal Arts Faculty*, March 23, 1910.

companies at a time as it was impossible to maneuver more than this number on the drill floor. A signal corps of two men from each company was established in November, 1911, and received instruction in flag signaling and heliographing. Target practice was conducted on the Company I range about three miles north of town, the University installing two of its own target frames at the range. Target practice was voluntary. In 1911 spring drill was suspended after May 6th and target practice was substituted for all cadets.<sup>199</sup>

The increase in the regiment to over three hundred men as a result of the requirement of the pre-medical year necessitated an increase in the number of field and staff officers. A colonel, lieutenant colonel, two battalion adjutants, two battalion commissaries, a regimental sergeant major, a regimental quartermaster sergeant, a regimental commissary sergeant, and an additional color sergeant for the regimental standard were added. Two second lieutenants were assigned to each company but this scheme was dropped after one year's trial. All positions were filled on the basis of competitive tryouts and written examinations. The captains were required to present as part of their examination a written scheme of company instruction for the year and a plan for the conduct of a march of the cadet regiment. In 1911 it was necessary to base the appointments on past performance and records of the cadets since the introduction of the new drill regulations had made examinations impossible.<sup>200</sup>

The system of demerits was changed and a new schedule

<sup>199</sup> Letter from the Adjutant General's office, dated September 25, 1911, in the files of the Military Department; *The Daily Iowan*, November 19, 1909, March 11, September 28, 1910, January 6, May 4, November 8, 9, 29, 1911, April 3, 1912, October 21, 1916.

<sup>200</sup> *The Daily Iowan*, September 19, 30, October 12, 29, November 11, 1909, September 28, 1910, October 6, 8, 1911.

was introduced. Absences for which satisfactory explanations were made were excused so far as demerits were concerned but if full credit was desired the absences were to be made up. Failure to submit explanation of absences within the required time incurred the penalty of three demerits in addition to those imposed for an unexcused absence. Explanations were required for all delinquencies incurring ten demerits or more. The schedule of demerits was as follows:

Absence from drill (unsatisfactory explanation).....	10
Insubordination (according to offense).....	15 to 100
Late at formation, less than 5 minutes.....	3
Late at formation, more than 5 minutes.....	6
Not in proper uniform.....	4
Chewing or spitting in ranks.....	8
Slouching or inattention in ranks.....	5
Talking in ranks while at attention.....	8
Dirty gun or equipments at inspection.....	8
Shoes not properly cleaned at ceremonies.....	3
No white gloves at formation.....	3
No white collar at inspection.....	5
Uniform not in proper condition.....	5
Not properly prepared at theoretical instruction.....	5
Failure to submit a required explanation.....	3 <sup>201</sup>

The uniforms were now required to be of a better quality and all of one grade. They were supplied under contract with M. C. Lilley and Company through the local clothiers. White cross belts with black or tan cartridge faces attached were adopted in place of the waist belts. The caps were changed to the West Point style and the West Point officers' gold chevrons were reintroduced in place of the shoulder straps. The uniform, including blouse, trousers,

<sup>201</sup> Memorandum orders, January 3, 1911, in the files of the Military Department.

cap, two pairs of white gloves, and four collars, cost the cadets \$15.40.<sup>202</sup>

At the request of President John G. Bowman the remuneration of the band members was increased to \$25.00 per year for each elective member, five hundred dollars being allowed for this purpose. The band continued the dances in the Armory, gave the usual number of concerts, and made the usual annual excursion with the football team. Mr. Cox was succeeded as bandmaster by Howard J. Barnum who served for the two years from 1909 to 1911. Orie E. Van Doren who had been cadet captain and band leader in 1905-1906 returned as band director in 1911 and has served in that capacity ever since.<sup>203</sup>

#### THE RIFLE TEAM

In November, 1908, a Rifle Club affiliated with the National Rifle Association was formed at the University, and a team coached by Lieutenant Weeks was entered in the second annual intercollegiate indoor championship matches. Since this time the rifle team has been continued as one of the activities of the Military Department. Although membership in the Rifle Club is open to any student of the University the team members have, with few exceptions, been members of the University regiment and the coaching of the team has always been carried out by members of the military staff. The following men have acted as coaches of the team: Lieutenant Weeks, 1908-1909; Lieutenant Mumma, 1909-1912; Sergeant Major Rahming, 1912-1917;

<sup>202</sup> *Biennial Report of the Iowa State Board of Education*, 1909-1910, p. 71; *The Daily Iowan*, September 19, October 14, 15, 1909, October 5, 1910; correspondence between the Commandant and M. C. Lilley and Company.

<sup>203</sup> *The Daily Iowan*, September 24, 29, 30, November 5, 9, 1909, October 5, 6, December 18, 21, 1910, May 12, November 8, 1911; *Record of the Board of Education* (University), Book C, p. 37.

Donald Price, 1917-1918, and Captain Thomas E. Martin, and warrant officer, James J. Gibney, 1921-1922. The Athletic Board has awarded letters — the RIT — to team members and numerals to the freshman members of the team.

Table II gives the results of all interscholastic matches which are of record to the end of 1922. The records are not complete and it is probable that several matches have been omitted, particularly those taking place before the affiliation of the team with the National Rifle Association.

TABLE II

STANDINGS OF THE IOWA INTERCOLLEGIATE RIFLE TEAMS <sup>204</sup>					
YEAR	EVENT	IOWA'S SCORE	IOWA'S RANK	WINNER OR SECOND	SCORE OF WINNER OR SECOND
1897	Intercollegiate outdoor military match (19 teams)	350	3	Va. Polytech.	385
1902	Intercollegiate outdoor military match (5 teams)	322	4	California	415
1904	Intercollegiate outdoor military match (5 teams)	381	3	Utah A. C.	432
1906	Intercollegiate outdoor military match	350	3	Shattuck	403
1907	Intercollegiate outdoor military match	341	6	California	402
1909	N. R. A. Inter- collegiate League <sup>205</sup>	901	8	Wash. State College	949

<sup>204</sup> This table has been compiled from the records of the National Rifle Association at Washington and the reports of the matches in the various University newspapers.

<sup>205</sup> The N. R. A. Intercollegiate League holds a series of matches between college teams. The results have been variously determined by the winner of greatest number of the matches in the particular league and the aggregate scores for the season.

YEAR	EVENT	IOWA'S SCORE	IOWA'S RANK	WINNER OR SECOND	SCORE OF WINNER OR SECOND
1910	N. R. A. Inter-collegiate League	Won 8 Lost 1	1	Wash. State College Columbia University	Tied with Iowa
	N. R. A. shoot-off of tie	1812	2	Wash. State	1836
	National indoor inter-collegiate match <sup>208</sup>	1789	5	Mass. Aggies	1848
1911	N. R. A. Inter-collegiate League	Won 15 Lost 0	1	Mass. Aggies (2nd)	Won 14 Lost 1
	National Guard gallery match	3210	3	Staunton, Va., Nat. Guard Co.	3274
	Indoor intercollegiate match	1880	2	Mass. Aggies	1897
1912	N. R. A. Inter-collegiate League, western division	Won 9 Lost 0	1	Wash. State College	Won 8 Lost 1
	N. R. A. Inter-collegiate League, championship with eastern champions	971	2	Mass. Aggies	973
	Special dual match	956	1	Wis. (2nd)	905
	National Guard gallery match	3286	1	Co. L, 2nd Regt. N. J. N. G. (2nd)	3176
1913	N. R. A. Inter-collegiate League, western division	Won 12 Lost 1	1	West Virginia	Tie
	N. R. A. Inter-collegiate League, shoot-off of tie	962	2	West Virginia	980
1914	N. R. A. Intercollegiate League, Class A teams (34 teams entered in 3 leagues)				
	Iowa average per match 958.9	Won 9 Lost 2	4	Mich. Aggies	Won 11 Lost 0

<sup>208</sup> The indoor intercollegiate match is a single annual indoor match open to teams of any college.

YEAR	EVENT	IOWA'S SCORE	IOWA'S RANK	WINNER OR SECOND	SCORE OF WINNER OR SECOND
1915	Special dual match N. R. A. Intercol- legiate League, Class A teams (Iowa won 9, lost 2 matches)	1877	1	Neb. (2nd)	1777
1916	N. R. A. Intercol- legiate League, Class A teams (Iowa won 9, lost 4 matches)	10,716 (97.41%)	3	Wash. State	10,849 (98.62%)
1917	N. R. A. Intercol- legiate League, Class A teams (31 teams)	12,873	5	Mich. Aggies	12,998
1918	N. R. A. Intercol- legiate League, Class A teams (16 teams)	9071	9	Mich. Aggies	9638
1919	No Iowa Rifle team	9894	1	Mass. Aggies (2nd)	9852
1920	No Iowa Rifle team				
1921	No Iowa Rifle team				
1922	N. R. A. Inter- collegiate League			Pennsylvania	5844
	First team	5704	5		
	Second team	5642	6		
	Seventh corps area matches (highest three teams competed in national inter- collegiate matches)	5584	1	South Dakota Aggies (2nd)	5496
	National inter- collegiate match	5487	10	University of Dayton	5831
	Dual matches	1921	1	Minn. (2nd)	1473
		1931	1	Kans. Aggies (2nd)	1833
		1795	1	N. Dak. (2nd)	1521
		1940	1	Wis. (2nd)	1925
		1748	1	S. Dak. (2nd)	1600
		1907	1	Ohio State R. O. T. C.	Forfeit
		1911	1	Ohio State, Varsity (2nd)	1877
		1940	1	Illinois (2nd)	Forfeit



YEAR	EVENT	IOWA'S SCORE	IOWA'S RANK	WINNER OR SECOND	SCORE OF WINNER OR SECOND
	National engineer unit match (25 entries)	3426	1	Oregon Aggies (2nd)	3408
	Inter-unit matches Iowa Engineer Unit	3023	1	Ames Engi- neer Unit (2nd)	2661
	Iowa Motor Transport Unit	921	1	Oregon Aggies M. T. Unit (2nd)	892

## UNDER LIEUTENANT JAMES A. MARS

James A. Mars, First Lieutenant of Cavalry, served as Professor of Military Science and Tactics from August 15 to December 15, 1912. He could not remain for his full detail, however, since he had been on staff duty during the major part of the preceding six years and under the "Manchu Act", had not completed sufficient service with troops to allow detached duty.<sup>207</sup>

The organization was continued as a regiment of six companies, band, signal corps, and bugle corps. The trumpeters and signallers were not selected until after they had received the full preliminary military instruction. Drill was given three times a week in the fall, all companies drilling at the same hours. Less attention was paid to setting-up exercises and more to infantry drill than before. This work was supplanted in the winter by a schedule of one period per week of practical instruction in the Armory; one period of theoretical work with instruction of the privates by the company commanders and separate classes for the non-commissioned officers, lieutenants, and captains; and one period of gymnasium work under Ernest G.

<sup>207</sup> *The Daily Iowan*, September 13, October 24, December 10, 1912.

Schroeder, Director of Physical Education. Cadet officers were selected, as previously, on the basis of the showing made by the candidates in a special preparatory class held before the year's work commenced followed by a competitive examination.<sup>208</sup>

There were 412 men on the roster on October 29, 1912, fifty-five of whom were excused during the fall term for participation in athletics. Fifty-nine students were excused from military training altogether, fifty of these being required to substitute physical training.<sup>209</sup>

#### UNDER LIEUTENANT CORBIT S. HOFFMAN

Corbit S. Hoffman, First Lieutenant, Twenty-third Infantry, arrived at the University on January 8, 1913.<sup>210</sup> He continued the military work under the schedule laid out by Lieutenant Mars. An examination in the theoretical work, with a grade of 75 per cent required for passing, was taken by all students. Morning drill in the spring quarter was held four mornings a week with ceremonies Friday at 4:30 P. M. until the instruction of the year was completed. The usual prize drills and ceremonies were held but the annual encampment was omitted because of lack of tentage. Lieutenant Hoffman was ordered back to service with his regiment for the same reason as Lieutenant Mars — he had been on staff duty instead of on duty with troops for a part of the previous five years.<sup>211</sup>

#### UNDER LIEUTENANT ROBERT T. PHINNEY

Robert T. Phinney, First Lieutenant, Twenty-first Infantry, arrived at the University to take up his duties on

<sup>208</sup> *The Daily Iowan*, September 18, 19, 25, October 16, 20, 24, November 21, 27, 1912.

<sup>209</sup> *The Daily Iowan*, October 29, 1912.

<sup>210</sup> *The Daily Iowan*, January 9, 1913.

<sup>211</sup> *The Daily Iowan*, January 9, March 13, April 17, September 21, 24, 1913.

October 16, 1913, Sergeant Major Rahming having been acting commandant in the meantime.<sup>212</sup>

Lieutenant Phinney developed the tactical side of the instruction to a greater extent than his predecessors had done. Practical instruction for his first year was given three hours per week during the fall and spring and one hour per week throughout the winter with one hour of gymnastics and one hour of theoretical work in addition. The theoretical instruction given by the cadet captains was made more specific than in the past. Lectures were given on military history, camp sanitation, target practice, minor tactics, guard duty, and care of the rifle. This system of lectures was used instead of the previous practice of assigning sections in the drill regulations for study and recitation. A Stacey military relief map was purchased and used for the problem work in minor tactics after the series of lectures had been completed. Weekly classes for the officers and non-commissioned officers were conducted by the commandant.<sup>213</sup>

In his second year Lieutenant Phinney introduced Moss's *Manual of Military Training* as a theoretical textbook. The physical training was omitted and two hours of theoretical work was given during the winter. Lecture recitations were conducted and a written examination was given at the conclusion of the work. Special instruction classes were held semi-weekly for those who had failed to pass the final examinations. Drill of two companies at a time was held on the floor of the Armory. The same system of instruction was continued the following year.<sup>214</sup>

After the separation of the freshmen and sophomores into separate companies the freshmen received practical

<sup>212</sup> *The Daily Iowan*, September 24, October 3, 17, 1913.

<sup>213</sup> *The Daily Iowan*, January 6, 15, 21, 23, February 4, 5, 1914.

<sup>214</sup> *The Daily Iowan*, December 3, 10, 13, 1914, January 15, May 4, 1915.

drill in the fall and the sophomores were given advance guard, rear guard, and outpost problems across the river. The entire regiment was taken across the river for tactical problems one night a week. Instruction in trench warfare and military engineering was also taken up and bayonet drill was added to the course on account of the physical benefits involved. The system of morning drills was continued and special tactical walks for the officers and officer candidates were added during the spring.<sup>215</sup>

The increase in the University enrollment permitted the organization of new units although most of the increase was among the professional students who were not required to take military work. At the close of the first two years under Lieutenant Phinney the six company organization was changed to a regiment of eight companies of six squads each, a hospital corps detachment—organized among the pre-medical students—a radio corps, a bugle corps, and a fifty piece band. The radio corps was an outgrowth of the signal corps, the signal equipment having been called in at the time of the Mexican Border mobilization. Semaphore instruction had been taken up by the company musicians in place of the instruction given to the special detachment. In 1915-1916 the signal corps was reorganized as a wireless detachment and a portable radio outfit was constructed.<sup>216</sup>

The regiment had increased from 457 men in September, 1913, to 500 in October, 1915. At the latter date there were, in addition, 118 men excused from military work by the committee, 52 excused for athletics, and 52 who had not yet reported for drill who were added to the regiment at a later date. A shrinkage of about twenty per cent from the

<sup>215</sup> *The Daily Iowan*, October 29, November 3, 11, 1914, April 10, May 4, 13, September 26, November 6, 1915; *Daily Old Gold*, January 25, 1916.

<sup>216</sup> *The Hawkeye*, 1917; *The Daily Iowan*, December 10, 1913, February 4, 1914; requisition for parts for wireless outfit, October 18, 1915, in the files of the Military Department.

figures of the first semester could be expected for various causes.<sup>217</sup> It was necessary to secure two hundred additional rifles together with their accoutrements, making a total of five hundred rifles available for the regiment. A request for machine guns to be used in the organization of a machine gun company was refused because of the need of all available machine guns for Mexican Border duty.<sup>218</sup>

Sub-calibre and outdoor rifle practice was required of all cadets. In the winter of 1915-1916 the sophomores were allowed to choose between six weeks of infantry drill or the same amount of gallery practice and elected the latter. The freshmen had gallery practice following the sophomores. Practice with the service rifle was held at the State range at Mid River after its completion, the Company I range having been abandoned. Four hours of practice at the range were required of all students after they had completed the spring drill. Revolver practice, held under the bleachers on Iowa Field, was introduced for the officers and musicians. Firing was held with both the 22 calibre and 45 calibre pistols. A new trophy was offered for rifle shooting—the Phinney Cup—to be held each year by the company with the highest aggregate score in a special match competition.<sup>219</sup>

The cadet uniform was changed to an olive drab uniform instead of the cadet gray pattern, the new uniform consisting of an olive drab serge blouse and breeches, canvas leggings of the modified cavalry pattern, service hat, and white hat cord. These uniforms were of more durable material than the older style and were supplied by M. C.

<sup>217</sup> *The Daily Iowan*, October 5, 1913, October 27, 1915, December 10, 1916; *Daily Old Gold*, April 1, 1916.

<sup>218</sup> *The Daily Iowan*, December 17, 1913; *Daily Old Gold*, February 22, 1916.

<sup>219</sup> *The Daily Iowan*, January 7, April 13, 1916; *Daily Old Gold*, March 3, 25, 1916; *The Hawkeye*, 1917.

Lilley and Company for \$15.50, or ten cents more than the others. For 1914-1915 the sophomores in gray formed the first battalion and the freshmen in olive drab the second battalion. This separation of classes was continued the following year for convenience in instruction.<sup>220</sup>

During 1914-1915 a new addition was made in the rear of the Armory to furnish locker rooms, exercise rooms, and a swimming pool. In connection with this construction the control of the building passed from the Department of Military Science and Tactics to that of the Department of Physical Education for Men. The basement was excavated under the drill floor to allow for a dirt track, the military training classes were forced off the drill floor, and the gun lockers placed around the track. It was necessary to hold winter drills on the dirt floor of the basement in choking clouds of dust. Moreover, the parade grounds were cut up into tennis courts and it was necessary to hold outdoor drills on such plots of ground as could be found. Conditions were such that in 1915-1916 the Military Department rented the hall of Company A, Iowa Pioneer Engineers, for drill.<sup>221</sup>

At the suggestion of the joint faculty military committee of the colleges of Liberal Arts and Applied Science the following resolution requiring military training was passed by the faculty of the College of Pharmacy on March 24, 1916:

It was moved by Professor Kuever that beginning with the University year 1916-1917 all men students be required to take one and one-half years of military training, the last half year to be the

<sup>220</sup> Letter from Lieutenant Phinney to the President of the State University, dated September 25, 1914; *The Daily Iowan*, October 13, November 20, 1914.

<sup>221</sup> *Record of the Board of Education (University)*, Book E, p. 393, Book G, pp. 245-247; *The Daily Iowan*, October 7, 1914, October 2, 1915; letter of Superintendent John M. Fisk to Lieutenant Phinney, dated October 18, 1915; letters of Lieutenant Phinney to the President of the State University, dated October 19, November 24, 1915, March 27, 1916.

theoretical part of hospital corps work; the understanding being that any student who is physically unable to drill shall be required to take physical training instead of military training.<sup>222</sup>

The only outside activities of importance at this time were the holding of the first cadet hop at which attendance was restricted to uniformed members of the cadet regiment, and the sending of an exhibition company of five squads to the military tournament at Cedar Rapids on October 12, 1915. The hop was held at the Armory on December 6, 1915, and was a success. Music was supplied by the University band. The expenses of the exhibition company were paid by the Cedar Rapids Commercial Club who financed the exhibition and from reports in the Cedar Rapids newspapers it is evident that the University company made a favorable impression.<sup>223</sup>

To provide for an additional locker room for the gymnasium, the band was moved from its quarters in the Armory to the third floor of the old boiler house and armory building. It increased in size to forty members in 1913-1914 and 1914-1915, and to fifty members in 1915-1916. The allowances for the band included \$25.00 to each of fifteen elective members, \$5.00 each for twenty additional members for commencement week, and \$25.00 additional for the bandmaster for commencement week. The annual concert given in 1916 was so popular that it was necessary to repeat it a few weeks later. On both occasions the Natural Science Auditorium was filled to capacity.<sup>224</sup>

<sup>222</sup> *Minutes of the Faculty of the College of Pharmacy*, January 14, March 24, 1916.

<sup>223</sup> Letters of Lieutenant Pinney to General Hubert A. Allen, dated October 23, 1915, and to the President of the State University, dated October 4, 1915; letter of General Allen, dated October 15, 1915; *The Daily Iowan*, December 2, 5, 9, 1913, October 12, 14, 1915.

<sup>224</sup> *The Daily Iowan*, January 21, February 17, October 21, 1914, September 29, 1915, September 27, 1916; letter of Lieutenant Pinney to the Secretary of

## V

## PERIOD OF THE WORLD WAR

UNDER CAPTAIN MORTON C. MUMMA

Captain Morton C. Mumma returned from duty with Pershing's expedition into Mexico for his second detail as Professor of Military Science and Tactics in the summer of 1916. He was relieved after the completion of one year of service at the time of the recall of all officers from detached duty to active service on account of the World War.

In accordance with a resolution of the Liberal Arts faculty all male students in the Liberal Arts College were required to take two hours of military training and two hours of physical training for the first two years instead of three hours of military training. A similar rule was passed by the faculty of the College of Applied Science but in this case the physical training was postponed until the third and fourth years. Under this scheme all setting-up exercises were omitted from the military work and a part of the instruction in hygiene was transferred to the Department of Physical Education. At the same time the grounds for which students might be excused from military training were reduced to physical disability. No excuses were permitted on the plea of outside work or heavy courses. Those exempted from training on physical grounds were required to enter special corrective gymnastic classes and the system of demerits employed by the Military Department was also adopted for the physical training classes and the same penalties applied.<sup>225</sup>

the State University, dated June 9, 1915; budgets for the University, from 1912-1913 to 1915-1916 inclusive. The total amount — \$500 — remained unchanged but this is the first time a definite statement of the distribution of the fund was recorded.

<sup>225</sup> *Catalogue of the State University of Iowa*, 1915-1916, p. 205; *Daily Old Gold*, January 21, 1916; *The Daily Iowan*, September 20, November 10, 1916;



Several changes were made in the organization of the regiment. The enrollment of 736 cadets required the formation of new companies and the regiment was increased to a ten company organization. Separate engineer companies for the applied science students were formed for the first time and formed a provisional third battalion of two companies. Freshmen and sophomores were again instructed in the same companies. Since there were not enough rifles for all cadets a large hospital corps of about eighty pharmacy and pre-medical students was organized. The system of selecting the cadet officers by examinations was abandoned and the selections were now made on the basis of ability and the length of prior service.<sup>226</sup>

The course of instruction laid most emphasis upon practical warfare and tactics. Drill was held twice a week by each company independently. The classes were scheduled at 10:00, 11:00, and 3:30 on Mondays, Tuesdays, Wednesdays, and Thursdays and at 4:30 on Mondays and Wednesdays. The engineering students drilled at 4:30 on Tuesdays and Thursdays. These periods were devoted to infantry drill in the fall and spring and to lecture-recitations over assigned sections in Moss's *Manual of Military Training* in the winter. All officers were required to attend an officers' class at least once a week in addition to giving two hours a week to the instruction of their companies. Battalion commanders devoted four to eight hours a week to the supervision of the work of their battalions and the other field and staff officers were assigned as instructors in special subjects. Special technical instruction was given to the engineering companies, the hospital corps, and the semaphore and wig-wag signalling detachments. A sand

*Minutes of the Liberal Arts Faculty*, January 19, 1916; *Minutes of the Faculty of the College of Applied Science*, January 28, 1916.

<sup>226</sup> *The Daily Iowan*, September 22, 24, October 4, December 10, 1916.

table with models of the different types of field construction was added to the equipment and employed in giving instruction to the infantry on trench warfare and to the engineers on field fortifications.

A voluntary non-commissioned officers' class in tactical problems and the principles of command was conducted by the cadet major, Paul R. Rockwood. Weekly classes held in the evening were attended by over sixty students. Preference was given to these men in the selection of the non-commissioned officers. Morning drill was continued in the spring and this was followed by compulsory gallery practice for all cadets. A sham battle between the two infantry battalions was held on Saturday afternoon, April 14th. The cadets entrained to Oakdale and fought their way back. The engineer cadets devoted the afternoon to digging trenches back of the Armory, which were later used for instruction of the students in trench warfare. A ten mile practice march for the regiment was held on Saturday, May 26th. Bayonet instruction was given in physical training classes.<sup>227</sup>

On March 2, 1917, the University was granted an infantry unit of the Reserve Officers' Training Corps, which had been established by the National Defense Act of June 3, 1916, as a means of securing properly trained officers for the Officers' Reserve Corps. Land grant colleges established under the terms of the Morrill Act were required to secure units; entrance of other institutions is voluntary, but at least one hundred men have to be enrolled before a unit may be established. For the technical units this minimum is fifty men. The colleges maintaining units are required to have military training for at least three hours per week for at least two years. All physically fit male students at land grant schools are required to take this work.

<sup>227</sup> *The Daily Iowan*, September 20, October 4, November 23, December 7, 10, 1916, February 8, April 13, 17, 18, 25, May 20, 24, 25, 1917.

All uniforms and necessary equipment are supplied by the government and provision is made for supplying material in greater abundance and of the latest types. Students who contract to take an additional five hours per week of instruction and to attend the required summer instruction camps during the third and fourth years are enrolled in the advanced course and receive commutation of subsistence at not less than thirty cents per day for a period of twenty-one months. Graduates from the four year course receive reserve commissions as second lieutenants in the army without examinations.

As soon as the regulations in regard to the R. O. T. C. were announced a request was made by the University for both infantry and engineer units. No engineer units were formed, however, because of the onset of the war. The requirements were then increased to three hours of military training and two hours of physical training for two years. Under the terms of the law additional officers and non-commissioned officers could be assigned to the colleges and, as a result of this provision, Chief Trumpeter Jacob Maier, Cavalry, retired, was detailed to the University on April 11, 1917. He assumed charge of the property of the department and became the instructor of the bugle corps. The majority of the benefits to be received under the act could not be secured, however, because of the need of all officers and all equipment for war service.<sup>228</sup>

With the passing of the control of the Armory into the hands of the Department of Physical Education and the growth of the cadet regiment there was need of a more adequate drill hall than that afforded by the 65 by 120 foot basement of the Armory. This basement allowed insuffi-

<sup>228</sup> *The Daily Iowan*, October 5, 1916, February 11, 16, 25, March 4, April 11, 1917; General Orders of the War Department No. 49, 1916; *Minutes of the Liberal Arts Faculty*, February 14, 1917.

cient drill area for the maneuver of even two companies. In 1917 Captain Mumma asked \$150,000 for the erection of an armory 200 by 400 feet in size with a clear span drill hall of 200 by 360 feet and a like appropriation for the State College at Ames. This sum would have given these institutions two of the largest armories in the country. The amount requested was reduced to \$125,000 each and the sum appropriated on April 10th as a special appropriation separate from the building appropriations of the two schools. With the declaration of war and the arrangement of steel priorities by the government it was impossible to secure the structural steel for the sum appropriated and it was necessary to postpone the erection until after the war.<sup>229</sup>

Several miscellaneous activities were carried out during the year 1916-1917. A special "Military Edition" of *The Daily Iowan* was issued on December 10th carrying stories about the different activities of the Military Department.<sup>230</sup> A tag day was held on March 28th to secure a seventy-five to one hundred foot steel flag staff. It was planned to place the flag staff west of the Old Capitol and have retreat, with the University band's assistance, three nights each week. The sum of \$235.76 was secured but it was impossible to secure a flag staff through the Quartermaster Corps after the beginning of war and prices from outside concerns were too high. The profits from the several preceding military balls which were to have been added to the fund were devoted to the purchase of a regimental standard. The money received in the tag sale was turned into the

<sup>229</sup> *Record of the Board of Education (University)*, Book G, p. 397, Book H, pp. 235, 247, Book I, p. 51; *Biennial Report of the Iowa State Board of Education*, 1914-1916, p. 63, 1916-1918, p. 10; *Laws of Iowa*, 1917, Ch. 261; *The Daily Iowan*, March 18, 21, 23, April 11, 1917.

<sup>230</sup> *The Daily Iowan*, December 10, 1916.

memorial union fund after the war as the wood pole purchased by the University for the S. A. T. C. served the purpose satisfactorily.<sup>231</sup>

The only variation in the uniform was the change of the officers' insignia from that of the regular army to the new cadet insignia.<sup>232</sup> It was impracticable to hold competitive drill for the Lilley automatic pistol and the Coast sword and they were awarded to the captains of the two best companies on the basis of their work throughout the year. Individual competitive drills, followed by a military field day, were held as usual.<sup>233</sup> Arrangements were completed by Captain Mumma for the organization of a National Guard Cavalry Squadron at the University with the muster out of the squadron then organized in the State. The plan was never carried out, however, since the squadron was continued in service with the beginning of the war.

The band was organized with fifty-five pieces during the year and following the close of school a band of twenty of the members made a ten weeks chautauqua tour in Iowa, Illinois, Wisconsin, and Minnesota. They were billed as "Van Doren's University of Iowa Band".<sup>234</sup>

With the declaration of war the responsibilities of the Department of Military Science and Tactics were increased. Even as early as February 10, 1917, a mass meeting had been held to see about the possibilities of juniors, seniors, and faculty members taking military drill. A mass meeting of juniors and seniors in the College of Liberal Arts, held on April 16th, petitioned the faculty for compulsory military drill five hours per week, substitution of this drill for three hours of University work, and drill from April

<sup>231</sup> *The Daily Iowan*, March 28, 29, May 11, 1917, March 6, 1919.

<sup>232</sup> *The Daily Iowan*, December 10, 1916.

<sup>233</sup> *The Daily Iowan*, June 1, 3, 1917.

<sup>234</sup> *The Daily Iowan*, November 7, 22, 1916, April 28, September 18, 1917.

23rd until commencement. A minority was in favor of three hours of drill without credit. The faculty passed resolutions requiring five hours of drill per week of all upper class students with the option of dropping a three hour course or of taking one additional credit for the work. It is said that the faculty would have required such military training even if the students had not forced the issue.

The faculties of the colleges of Applied Science, Pharmacy, and Homeopathic Medicine had already passed similar drill requirements at the petition of the students. The faculty of the Dental College had recommended the acceptance of the opportunities offered by the Military Department for the military training and, although the instruction was voluntary, practically all the students had already signed for the work. One hundred and twenty out of the one hundred and thirty-eight law students were already drilling three hours per week under law students who were officers in the cadet regiment. With the approval of the graduate council, a voluntary company of graduate students was formed. The applied science students dropped five hours of engineering work per week and took two hours of military drill and a three hour Saturday morning class devoted to range work, map sketching, field fortifications, and similar subjects.

Instruction in these special companies was given by the cadet officers who were available upon the conclusion of morning drill and the government inspection. They were aided by the non-commissioned officers and privates of the regiment. A faculty company of about seventy men was also organized and drilled under Captain Mumma three hours per week. In addition the University supplied instructors for drilling the students at Grinnell and Cornell colleges and the Cedar Rapids high school. These organizations were drilled by the University men several nights

each week and held drill under the command of their own students the rest of the time. Cornell College, for instance, required drill of her students twelve hours per week since they had never received any previous military instruction.<sup>235</sup>

By April 3rd, Captain Mumma had received inquiries from over two hundred and fifty alumni in regard to commissions in the Officers' Reserve Corps. In response to this demand the University sent out circulars of information and questionnaires to all graduates of less than ten years standing. With the announcement of the decision to apply the appropriations for the R. O. T. C. summer camps to the holding of officers' training camps Captain Mumma was appointed examining officer for the University. Almost five hundred men applied for admission to the camp and it was necessary to establish a special office in the Old Stone Capitol to handle the applications and to give out numbers indicating the time, two or three days later, when each man might return to be interviewed. Several of the men who applied found to their surprise that they were rejected because they had always secured exemption from military training while in the University or because of their attitude and record while taking the work. A total of one hundred and twenty-five students, ten faculty members, a large alumni quota, and some representative men from the National Guard—all but a few of whom had taken military training at the University—were sent to the first training camp at Fort Snelling.<sup>236</sup>

Military instruction was introduced in the summer session of 1917 for the benefit of those students who were sub-

<sup>235</sup> *The Daily Iowan*, February 8, 11, April 12, 13, 14, 15, 17, 19, 20, 21, 25, 27, May 3, 1917; *Minutes of the Faculty of the College of Pharmacy*, April 16, 1917; *Minutes of the Liberal Arts Faculty*, April 18, 1917.

<sup>236</sup> *The Daily Iowan*, April 3, 22, 24, 25, 27, 29, May 3, November 28, 1917; *The Iowa Alumnus*, Vol. XIV, pp. 264, 265.

ject to the draft or were applying for admission to the second officers' training camp. The instruction was given by Cadet Colonel Paul R. Rockwood, assisted by Sergeant Rahming and Sergeant Maier. The following courses were given: a practical course in infantry drill; theory of drill and principles of tactics; problem section—a two hour daily laboratory period for the solution of tactical problems; small arms firing in the gallery and on the Mid River range; and a special class for prospective officers covering theory of collective fire, military law, and company administration. Special bayonet drill and signal instruction at seven in the morning and a military sketching class under Arthur C. Trowbridge of the Department of Geology were required as a part of this last course. Academic credit was given for all courses except the infantry drill. A similar course was given in the second summer session.<sup>237</sup>

#### UNDER CAPTAIN ANDREW C. WRIGHT

Andrew C. Wright, Captain of Infantry, retired, was detailed for duty at the University commencing in September, 1917, in pursuance of the War Department's policy of calling retired officers to active duty at educational institutions. He had been retired on account of physical disability incurred while on duty in the Philippines. Sergeant Maier remained with the department while Sergeant Rahming was commissioned a captain in the National Army and assigned as adjutant to Colonel Mumma at the Small Arms Firing School at Camp Perry, Ohio. Mark A. Kelly, First Sergeant of Infantry, was added to the department staff in November and served for the remainder of the year. Captain Wright died on July 15, 1918, immediately

<sup>237</sup> *University of Iowa Service Bulletin*, Vol. I, No. 17, June 2, 1917; *Summer Session for 1917, Schedule for Second Term*; *The Daily Iowan*, May 18, 26, 30, 1917; *The Hawkeye*, 1919.



after the conclusion of the Reserve Officers' Training Corps camp where he had been senior instructor of one of the battalions.<sup>238</sup>

The work of the department was carried on much the same as it had been under Captain Mumma. There was no drill requirement for third and fourth year men and professional students since all those who were expected to be called into service could enter the regular companies. The initial registration for the year was 550 as compared with 736 the year before. The organization was reduced to six companies of infantry, two companies of engineers, sanitary detachment, signal detachment, bugle corps, and band. It was frequently necessary to reorganize the companies because of the loss of men who entered the service. The strength of the basic course had fallen to 372 men by April 4, 1918.

The men who were in training for fall athletics were required to take military drill in addition. Company Q, formed of these men, drilled on Saturday afternoons and at other convenient periods. Instruction was altered to conform to the conditions in France with emphasis placed on trench warfare and trench construction. It was impossible to arrange more than two drill periods per week and the extra hour was made up by Saturday afternoon drill periods in the fall and morning drill in the spring. The morning drills commenced the week daylight saving was introduced and were hampered by the darkness at five o'clock, sun time. All companies were drilled after school at the same periods. Outdoor drill was held whenever the weather permitted throughout the year and lecture-recitations by the company officers for the remainder of the time. Numerous demonstrations of special topics were given by students on

<sup>238</sup> *The Daily Iowan*, September 15, November 29, 1917, April 23, 24, 1918; *Iowa City Daily Citizen*, July 15, 1918.

leave from the officers' training camps. Two maneuvers were held west of Iowa City on Saturday, May 18th, from 1:30 to 5:00 and on Tuesday, May 21st, from 4:30 to 6:00.

All cadet officers acted as instructors with the companies for three periods per week and received the advanced course instruction of the R. O. T. C. in two additional hours per week. This instruction consisted of special work in drill regulations, field service regulations, tactical problems, and military law. For this work the liberal arts students were granted two hours of academic credit per semester which could be applied toward the degree requirements. Since there are no electives in the College of Applied Science the students of this college carried the work without credit in addition to their full required schedule.<sup>239</sup>

In accordance with the regulations governing the Reserve Officers' Training Corps the cadets received commutation of uniforms at the army contract price. This amounted to \$14.00, the students being required to pay the balance of \$9.95 on the purchase price.<sup>240</sup> It was impossible to receive the other equipment benefits because of war conditions.

Competitive company drills were held as usual. Awards were made on the basis of the appearance of the company at inspection and the score made in company drill, the members of the winning company being allowed a vacation from drill for a week. The individual events were held among the cadets at the R. O. T. C. camp at Fort Sheridan.<sup>241</sup> Governor's Day was scheduled for June 7th during the commencement week and was to have been held with two companies organized from the remaining cadets of the

<sup>239</sup> *The Daily Iowan*, September 18, 27, 28, October 4, December 4, 8, 1917, January 15, 24, February 3, March 21, 27, April 20, May 14, 21, 1918.

<sup>240</sup> *The Daily Iowan*, October 4, 6, 1917.

<sup>241</sup> *The Daily Iowan*, May 4, 1918.

regiment. It was not held, however, because Iowa Field was flooded by high water and the water was standing in the basement of the Armory and in the gun lockers.<sup>242</sup>

In the fall of 1917 the band went to Evanston for the Northwestern football game. Four hundred and fifty-eight dollars were collected by tag days and the balance of the expenses — \$125.92 — was borne by the members of the band. Two winter as well as several campus concerts were given. A thirteen week chautauqua tour on the Midland circuit was made by a band of twenty-five players selected from the University band.<sup>243</sup>

A one months camp was held at Fort Sheridan, Illinois, from June 3 to July 3, 1918, for the members of the different R. O. T. C. units of the middle western States. The eleven men taking the advanced course were required to attend and fifty-eight volunteers from the basic course were selected. It was necessary for these cadets to leave the University a week before the end of the semester in order to begin the camp. The cadets received uniform allowances and had all expenses paid but received no pay. A total of 2600 students was organized as a regiment of sixteen companies. They were quartered in the barracks constructed for the officers' training camp the year before. Students from the advanced course, basic course, and junior units from military academies were in the same companies and were instructed together. A schedule of instruction in infantry subjects was carried out involving ten hours of evening study, ten hours of conferences, and from twenty-seven to thirty-six hours of drill and field work each week.<sup>244</sup>

<sup>242</sup> *The Daily Iowan*, May 7, June 1, 1918.

<sup>243</sup> *The Daily Iowan*, December 11, 12, 21, 1917, March 24, 26, April 19, 25, May 1, 1918.

<sup>244</sup> *The Daily Iowan*, April 17, May 14, 17, 25, June 2, 1918; *Training Camps for Selected Members of the Senior Division, R. O. T. C., June 3-July 3, 1918* (in manuscript).

Infantry drill and target practice for the summer session students at the University were held under Sergeants Maier and Kelly.<sup>245</sup>

#### FEDERAL INSPECTIONS

Federal inspections have been made practically every year since the first one on October 24, 1887, with the exception of the period of the Spanish-American War, when there were no Federal officers detailed at the University. While the inspectors' reports as given out for publications are usually considered in the light of "taffy" for the school it is worthy of note that, with one exception, the reports have been uniformly commendatory of the Military Department, except for minor items.<sup>246</sup> Even in that one case the reports of the inspectors for the remaining years of the detail of the Professor of Military Science and Tactics were commendatory of the officer and his work.

The following quotations are typical of the published reports of the various inspectors: "'The vim and enthusiasm, as well as the military bearing, accuracy of cadence and length of step, I have never seen surpassed in any similar organization.'"<sup>247</sup> "The inspector general said that the battalion was in the most satisfactory condition of any that he had inspected this season."<sup>248</sup> "Major Brush stated that the battalion drill was of high order and would

<sup>245</sup> *The Daily Iowan*, April 7, 1918.

<sup>246</sup> *The Vidette-Reporter*, October 22, 1887, May 16, supplement, June 18, 1891, May 31, 1892, September 28, 1893, October 10, 1896, May 22, 1897; *S. U. I. Quill*, May 14, 1892, p. 152, May 21, 1892, p. 157, May 6, 1893, p. 351, September 21, 1895, p. 9, October 10, 1896, p. 47; *The Daily Iowan*, May 7, 1902, June 2, 3, 1903, May 18, 1904, May 23, 1905, September 28, 1906, May 28, 1907, September 23, 1908, September 20, 1910, September 17, 1911, September 19, 1913, May 3, October 29, 1914, April 28, 1915, September 24, 1916, May 26, 1920.

<sup>247</sup> *The Vidette-Reporter*, June 18, 1891.

<sup>248</sup> *S. U. I. Quill*, May 21, 1892.

be ranked three, the highest obtainable marking. He said that the drill would have been an honor to a battalion of the regular army."<sup>249</sup> In 1911 the inspector placed the University first among the thirty-three institutions he had inspected. A similar report was made in 1914.<sup>250</sup>

#### THE STUDENTS' ARMY TRAINING CORPS

The Department of Military Science and Tactics passed out of existence in the fall of 1918 with the organization of the Students' Army Training Corps. Some of the students who had attended the R. O. T. C. camp at Fort Sheridan, together with other students and faculty members, returned to the Fort for an additional training period of six weeks. These men enlisted as privates in the army and received army pay. One week before the conclusion of the camp, announcement was made that fifty per cent of the men would be commissioned as second lieutenants. These men were sent to the different colleges and acted as company commanders in the formation of the S. A. T. C. The military work at the University was carried out directly by the War Department with the members enlisted in the army and living in barracks. The military training requirements were withdrawn and no military instruction was given to those students not in the S. A. T. C. or the Naval Training Unit.

#### VI

#### FROM THE WORLD WAR TO 1922

After the closing down of the S. A. T. C. steps were taken at once for the reestablishment of the Department of Military Science and Tactics. Albert L. Lane who had been

<sup>249</sup> *The Daily Iowan*, June 3, 1903.

<sup>250</sup> *The Daily Iowan*, September 17, 1911, October 29, 1914.

Commandant of the S. A. T. C. at the Iowa State College at Ames was placed in charge of the department on January 7, 1919. He was an engineering graduate and the holder of a temporary commission of captain of infantry, later receiving a permanent commission as first lieutenant of engineers. Roy C. Gore, Second Lieutenant of Infantry, was assigned as an assistant in the department.

UNDER COLONEL MORTON C. MUMMA

Colonel Morton C. Mumma was detailed as Professor of Military Science and Tactics for the third time on January 14, 1919. He had not completed his work in connection with the Small Arms Firing School, however, and did not report until February 9th. In the meantime Captain Lane and Lieutenant Gore proceeded with the reorganization of the cadet regiment. At this time Colonel Mumma held a temporary commission as colonel of cavalry and the permanent commission of a major in the same service. After discharge from his temporary commission he received a permanent commission as lieutenant colonel of cavalry.<sup>251</sup>

In addition to the above named officers it was possible for the University to receive the detail of additional officers as instructors under the provisions of the National Defense Act. The following officers have been on duty at the University from January, 1919, to June, 1922:<sup>252</sup>

Morton C. Mumma, Lieutenant Colonel of Cavalry

Professor of Military Science and Tactics,

February 9, 1919, to date

Ray C. Hill, Major of Infantry

Senior Instructor, Infantry Unit,

September 27, 1920, to date

<sup>251</sup> *The Daily Iowan*, January 2, 19, February 2, 11, 1919.

<sup>252</sup> From information supplied by Master Sergeant William DeForest Rahming.

Gaston Lee Holmes, Major of Cavalry

Instructor, Infantry Unit,

January 25, 1921, to June 11, 1921

Frederick R. Palmer, Major in Q. M. C.

Senior Instructor, Motor Transport Unit,

November 11, 1919, to September 24, 1921

Elton L. Titus, Major in Medical Corps

Senior Instructor, Medical and Dental Units,

October 8, 1921, to date

Robert S. Batman, Captain of Infantry

Instructor, Infantry Unit,

September 21, 1921, to September 19, 1922

(Deceased)

John N. Douglas, Captain in Q. M. C.

Senior Instructor, Motor Transport Unit,

October 31, 1921, to date

Charles S. Gilbert, Captain of Infantry

Instructor, Infantry Unit,

September 23, 1921, to date

Thomas E. Martin, Captain of Infantry, retired

Instructor, Infantry Unit, in charge of Rifle Practice,

May 20, 1921, to date

Michael O'Keefe, Captain of Philippine Scouts, retired

Adjutant and Supply Officer,

July 11, 1921, to date

John S. Young, Captain of Philippine Scouts, retired

Supply Officer,

February 6, 1921, to August 31, 1922

Albert Riani, First Lieutenant of Engineers

Senior Instructor, Engineer Unit,

September 11, 1920, to date

Albert L. Lane, First Lieutenant of Engineers

Instructor, Infantry Unit,

January 7, 1919, to December 6, 1920

Roy C. Gore, Second Lieutenant of Infantry

Instructor, Infantry Unit,

January 7, 1919, to October 28, 1919

James J. Gibney, Warrant Officer

Instructor, Engineer Unit, Assistant in Rifle Practice,

April 18, 1920, to date

Lewis J. Law, Warrant Officer

Instructor, Engineer Unit,

March 12, 1920, to date

Master Sergeant Rahming and Chief Trumpeter Maier also returned for duty with the R. O. T. C. In addition there have been on the average five non-commissioned officers on duty with the department as assistants in instruction and administration of the various units.<sup>253</sup>

The military drill requirement was returned to the same basis as it was before the war — three hours per week for two scholastic years. Students who had been in military or naval service were exempted from further training except in the case of those men who had been enlisted in the Students' Army Training Corps: these men were excused from the instruction for twenty-four weeks on the basis of the amount of training they had received. Many of the students who had been in active service but who had not had sufficient college military training to comply with the requirements of the law for entrance into the advanced course volunteered and served as cadet officers in the instruction of the students.<sup>254</sup>

<sup>253</sup> *Catalogue of the State University of Iowa*, 1919-1920 to 1922-1923.

<sup>254</sup> *Minutes of the Liberal Arts Faculty*, March 12, October 8, 1919; *The Daily Iowan*, April 24, 1920.



It was only natural that, with the general post-war relapse, there should be an indifference on the part of the students to military training. This indifference gradually wore away as the victims of the Students' Army Training Corps completed their required work and the spirit of the regiment is now as good if not better than before the war. The University was officially reported as one of the first of the middle western universities to bring its Military Department to pre-war standards.<sup>255</sup>

The usual scheme of instruction was carried out as far as it was possible to do so during the period from January to June, 1919. The department was hindered by the difficulties of organizing the work of instruction in the middle of the year as well as by the confusion arising from the general reorganization of all classes in the University. The first drill was held on January 27, 1919. Drills were held out-of-doors whenever the weather permitted. Theoretical instruction in infantry drill and tactics for the liberal arts students and in military engineering for the engineers was given at the other periods. The classes were held twice weekly with the third hour made up by Saturday drills and practice marches in the spring.

Morning drills were not held because of the difficulties of conducting such drills under the daylight saving law. It was impossible to give any hospital corps instruction during this and the following year because of the lack of equipment and the senior pharmacists were excused from the work on this account. The organization consisted of a regiment of eight companies two of which were engineer companies, a sanitary detachment, a signal detachment, a bugle corps, and the band. All organizations drilled without uniforms because the uniforms which were to be issued by the

<sup>255</sup> *The Daily Iowan*, October 26, 1919.

War Department did not arrive until the month of May, too late to be of any service.<sup>256</sup>

The chief event of the year 1919-1920 was the formation of the technical units of the Reserve Officers' Training Corps in addition to the infantry unit. Requests were made to the War Department for the granting of signal corps, engineer, motor transport, and coast artillery units. The engineer and motor transport corps units were granted to the University during the summer. Membership in the engineer unit is restricted to students of the College of Applied Science and the motor transport unit is largely made up of the students of that college, a few students from the College of Commerce being allowed in the administrative section.

Instruction of each of the units is held independently except for the regimental formations in the spring. The technical equipment consists of motor trucks, motor cars, and motorcycles, together with repair parts and special assemblies and sectioned parts for instruction and a complete mobile machine shop for the motor transport instruction. The engineering instruments and equipment were not received until the summer of 1920. Until that time it was necessary to restrict the technical instruction to theoretical work.

This special technical equipment together with the stock of uniforms and the infantry equipment makes a total of over \$181,000 worth of government property which has been issued to the University by the War Department for instructional purposes.<sup>257</sup>

At the present time the two technical units cover the

<sup>256</sup> *Minutes of the Faculty of the College of Pharmacy*, January 22, December 2, 1919; *The Daily Iowan*, January 21, 26, March 30, April 15, 17, 1919.

<sup>257</sup> *Minutes of the Board of Education* (University), Book J, p. 253; *Report of the Professor of Military Science and Tactics to the Inspecting Officer*, April 11, 1922, from the files of the Military Department.

courses of instruction prescribed by the War Department, that of the motor transport unit covering infantry drill and the fundamental military subjects, maintenance of vehicles, automotive engineering, and military convoys, and that of the engineer unit covering the military fundamentals, field fortifications, and military engineering. All drill sections meet two hours per week at convenient hours of the day with a third period set aside for battalion instruction. It has been impossible to hold the spring maneuvers for the past two years. Morning drills were abandoned after 1920 by faculty request.<sup>258</sup>

The third armory and drill hall was erected with the appropriations made for this purpose in 1917 but it was necessary to reduce the size of the drill floor from 200 by 360 feet to 160 by 210 feet because of the high price of materials. Offices and storerooms were constructed running the length of each side of the building and the permanent office section in front was omitted to keep the cost down. Although the building was erected in 1920 it was not utilized until a year later because of the lack of funds for the interior trim, heating, and lighting. The department moved into the new building in February, 1922, and commenced using it for class purposes. The completion of this first section of the Armory permits of the holding of battalion drills throughout the winter months as well as providing a sufficient number of classrooms and adequate storerooms and shops. Forty acres adjoining the building have been acquired and set aside for drill grounds. By permission of the Military Department the Armory is also used for University basketball games and other indoor games which can not be accommodated in the old Armory, now known as the Men's Gymnasium.<sup>259</sup>

<sup>258</sup> *The Daily Iowan*, October 26, 1919, March 12, 31, April 24, 1920.

<sup>259</sup> *Minutes of the Board of Education* (University), Book K, pp. 43, 107,

The Governor's Day ceremonies have been revived and have been held for the past three years in connection with the annual military field day and exercises. These exercises have been moved ahead and are now held before commencement week. The entire day is set aside for the various track events and the competitive drills with the Governor's review following the completion of the different events in the afternoon. For the 1922 field day Colonel Mumma was able to secure silver plaques as permanent awards for the winners of the different events in addition to the traveling trophies and medals. These plaques were the gift of the local business men and of the officers of the department.

Medical and dental units of the R. O. T. C. were formed at the University in the fall of 1920. The medical unit is limited to the work of the advanced course, as the basic work is taken with the pre-medical course. The work of the advanced course is restricted to three hours per week instead of five because of the heavy schedule of the students of the College of Medicine. Major Titus, the senior instructor of the medical unit, has also been in charge of the dental unit.

The University has been well represented at each of the six weeks military training camps held in the summer. Table III shows the attendance from the University at each of the various camps.<sup>260</sup> While the conduct of these camps is of interest it has no place in a history of the Military Department as they have not been under its jurisdiction.

116-117, 155, 287, 371; *The Daily Iowan*, October 7, November 13, 1919, February 24, 1920.

<sup>260</sup> From information supplied by Master Sergeant William DeForest Rahming. In 1918, 11 advanced students and 58 from the basic course were sent to Fort Sheridan where all branches of the service were given training.

TABLE III

STATE UNIVERSITY OF IOWA CADETS AT R. O. T. C. SUMMER CAMPS						
BRANCH OF SERVICE	COURSE	1918	1919	1920	1921	1922
Infantry	Advanced	—	7	8	12	7
	Basic	—	—	5	1	8
Coast Artillery	Advanced	—	1	1	—	—
Motor Transport	Advanced	—	—	15	30	12
	Basic	—	—	17	2	— <sup>201</sup>
Engineer	Advanced	—	—	7	15	2
	Basic	—	—	1	4	4
Medical	Advanced	—	—	—	—	44
Dental	Advanced	—	—	—	—	12
Totals	Advanced	11	8	30	57	77
	Basic	58	—	23	7	12
	Grand Total	69	8	53	64	89

The organization of the Officers' Club in November, 1921, at the suggestion of Colonel Mumma was one of the chief outside activities of the year 1921-1922. Colonel Mumma had suggested such a club in 1910 but it was not organized at that time. The club was organized by the cadet officers and the officers on duty with the Military Department with the idea of having a professional military organization for the better acquainting of the cadet officers with each other and for the discussion of military problems and yet one avoiding the setting up of a certain clique as was the case with the two anaemic organizations of Scabbard and Blade which had been attempted. With this object in view membership is open to all cadet officers and former cadet officers, over three-fourths of whom have joined the organization.

<sup>201</sup> No basic course men could be sent to the 1922 M. T. C. camp on account of lack of funds for traveling expenses.

Monthly dinners, followed by a talk by some guest of the club or by business sessions, are given. The club has taken over the responsibility for the conduct of the military ball and in addition gives a series of informal military dances during the year. Club rooms in a business block adjoining the University have been furnished and are open to members at all times. The dues for the support of the organization including the cost of the monthly dinners are \$3.50 initiation fee and \$15.00 annual dues.<sup>262</sup>

In 1919 the band was reorganized by Dr. Van Doren with the remnant of the S. A. T. C. band, of which he had been the leader, as a nucleus. The following year the War Department issued sufficient instruments for the formation of a second band of forty pieces. Both sections of the band drilled together for ceremonies and other military forma-

TABLE IV

STATISTICS OF MILITARY DEPARTMENT, APRIL 11, 1922						
	INFANTRY	ENGINEER	M. T. C.	MED.	DENT.	TOTAL
Basic Course						
1st year	489	50	31	2	—	572
2d year	221	47	22	4	12	306
Totals	710	97	53	6	12	878
Advanced Course						
3rd year	13	13	33	66	9	134
4th year	6	5	7	—	—	18
Totals	19	18	40	66	9	152
Organizations						
Companies	8	2	2			
Battalions	2	1 Bn.	jointly			
Band	1					

<sup>262</sup> *The Daily Iowan*, March 8, 1910, November 17, 1921.

tions but held separate practices. Since that time only one band of seventy or eighty pieces is trained instead of the two bands.<sup>263</sup>

The growth of the Military Department since the war and the increase of the work of instruction is evident from the statistics of enrollment in the cadet regiment on April 11, 1922, given in Table IV.<sup>264</sup>

It is said that the Department of Military Science and Tactics at the State University of Iowa has had the longest consecutive history of any such department in any non-land grant and non-military college. During this period of forty-eight years the military training given to the students has been of value not only as regards the benefits of the discipline and the individual benefits to the student body but also to the country in training for war, for "the experiences of the World War demonstrated conclusively the value of military training in colleges and universities. There is no question but that the college man who entered one of the Officers' Training Camps after having had military training in college had the advantage from the very start over the man without such training. He advanced more rapidly and in general retained his advantage throughout the war."<sup>265</sup>

ALAN C. ROCKWOOD

THE STATE HISTORICAL SOCIETY OF IOWA  
IOWA CITY IOWA

<sup>263</sup> *The Daily Iowan*, January 5, October 19, November 1, 11, 1919.

<sup>264</sup> *Report of the Professor of Military Science and Tactics to the Inspecting Officer*, April 11, 1922, from the files of the Military Department.

<sup>265</sup> Letter from Colonel Mumma, dated July, 1922.

## APPENDIX A

### FIRST REGULATIONS OF THE S. U. I. BATTALION<sup>266</sup>

#### REPORT OF THE COMMITTEE ON MILITARY MATTERS

To the Board of Regents.

Gentlemen:

We your Committee to whom was referred the report of the Professor of Military Science and Tactics beg leave to report as a course of Drill, Study and Regulations as follows, to wit:

#### I

1st For purposes of Tactical instruction, the able bodied male students of the Academical Department of the State University will be organized into a Battalion of four companies distinguished as "A", "B", "C" and "D" companies respectively.

2nd Students will be excused from the performance of military duty upon certificate of physical disability from the Assistant Surgeon of the Battalion approved by the Professor of Military Science and Tactics and the President of the University.

3d The Battalion Staff will consist of

1 First Lieutenant Adjutant	}	Seniors
1 First Lieutenant Quartermaster		
1 Sergeant Major	}	Juniors
1 Quartermaster Sergeant		
1 Color Sergeant		

4th Each Company will be composed of one-fourth of the total number of the military students, and having for officers:

1 Captain	}	Seniors
1 First Lieutenant		
2 Second Lieutenants		
1 First Sergeant	}	Seniors [Juniors]
4 Duty Sergeants		
4 Corporals		Sophomores
Privates		All other military students

<sup>266</sup> *Minutes of the Board of Regents*, Book A, pp. 501-505.



5th The Battalion shall have a silken color, similar to the Iowa State Infantry regimental color, with the words "State University of Iowa" on a scroll beneath the State Arms; and shall also have camp colors like those of the State Infantry regiments, substituting the letters "S. U. I." for the regimental number.

## II

1st. The Professor of Military Science and Tactics shall assign such of these officers, non-commissioned officers and privates, as he may deem fit, in addition to their usual company or battalion duties to special duty as instructors of Tactics or other necessary branches of military instruction, in such manner as he may deem most conducive to the best interests of the military department of the University.

2d. The Professor of Military Science and Tactics shall be, under these regulations, charged with the immediate direction and superintendence of the military duties of the students, both as regard practical and theoretical instruction, as well as with execution of other commands for their military government, emanating from the Board of Regents.

It shall be his duty to cause the course of study established, to be carried into effect, and to submit for the approval of the Board of Regents such changes therein, and in these regulations generally, as experience in his judgment and in that of the Faculty or Board of Regents may, from time to time, suggest; and for such and other purposes he will consult with the Faculty as often as may be deemed necessary.

## III

### COURSE OF INSTRUCTION

1st. Military duties shall commence with the beginning of the first term of the Academical year and credit for proficiency be given proportionate to that in other classes to be determined by the Academic Faculty.

2d. The course of instruction will be *practical* from the beginning of the Academical year until November 15th, and during the third term, and *theoretical* from November 15th until the end of the winter term.

3d. The practical instruction shall comprise so much of the school of the soldier, company and battalion (Infantry Tactics, Upton) and of the school of the piece (Artillery Tactics) as may be necessary for the students for their proper appearance at all kinds of review, parade, &c., &c., prescribed by the tactics.

4th. The *theoretical* course of instruction shall comprise, for the Senior class, from Nov. 15th until the end of the winter term, recitations or lectures once each week in Field Fortifications, Outpost Duties, and lectures on the Science of War.

For the Junior class, from Nov. 15th to the end of the winter term recitations once each week in Infantry and Artillery Tactics.

5th. All recitations and lectures will be regulated by the Professor of Military Science and Tactics, under the direction of the Faculty.

#### IV

##### UNIFORM

All articles of uniform, &c. must be made in strict conformity with the approved patterns, and no student other than members of the Battalion shall be permitted to wear this uniform excepting graduated military students, and those who have been honorably discharged from the Battalion: the former to wear a diagonal half chevron of single gold lace on each arm below the elbow, extending from seam to seam, the front end nearest the cuff, and one half an inch above the same; according to pattern.

COAT: Double-breasted frock coat, of cadet grey cloth . .  
 . . according to pattern.....\$15.00

OVERCOAT: Grey Kersey, double breasted, to reach two inches below the knee . . . . cape of the same material as the coat, seventeen inches in length . . . . according to pattern..... 22.25

TROUSERS: Cadet grey cloth, with a black stripe, one inch wide, down the outer seam, welted at the outer edges; according to pattern..... 7.00

CAPS: Of cadet grey cloth, chasseur pattern, with the University badge in front, top of badge to be even with the top of the cap; according to pattern..... 1.50

UNIVERSITY BADGE: A gold embroidered wreath on a black velvet ground, encircling the letters "S. U. I." in silver old English characters; according to pattern..... 1.35

BUTTONS: Gilt, one inch in diameter, bearing in raised form the Arms of the State of Iowa, and underneath, the letters "S. U. I.;" according to pattern.

GLOVES: [of White Berlin; according to pattern]..... .25

#### Insignia of Rank

[Gives description of insignia of rank according to the West Point Cadet system of insignia]

### V

#### REGULATIONS

1. Drills for an hour each will take place (weather permitting) on Mondays, Wednesdays and Fridays P. M., during the first term till Nov. 15th and the third term.

2. All students are required to be on their respective company parade grounds, duly armed and equipped, between the first and second calls for duty, and in ranks at the last tap of the drum — 2d call.

3. The arms or other public property for the use of the students shall not be taken from the office of the Professor of Military Science and Tactics except for duty. Each student's arms and accoutrements shall be marked with his name or designated number, and no student shall lend or exchange his arms or accoutrements, or use those of any other student, without the permission of that Professor.

4. No student shall alter his musket by scraping, filing, cutting, or varnishing the stock, barrel, or any other part of it; nor shall the lock be removed, or be taken apart without the permission of the Professor of Military Science and Tactics.

5. Applications to be excused from military duty must be made in writing, and in time for the student to report to the Officer of the Day before duty begins.

6. All permits to be absent from any military duty must be approved by the Professor of Military Science and Tactics, and be deposited with the Officer of the Day. No permit will bear the

name of more than one student, and no student shall leave or absent himself from any military duty for the purpose of obtaining a permit to be excused from said duty.

7. Any student reported for a military offense and having a satisfactory explanation for the same, shall explain it in *writing* according to the following form, and present it at the office of the Professor of Military Science and Tactics not later than the second orderly hour following its publication. If the explanation be satisfactory that Professor will erase the report; if it is not satisfactory he will forward same, with his report of offenses, to the President for his decision. No explanation will be received after the time herein specified unless sickness, absence or some other unavoidable cause — which must be stated in the explanation — shall have prevented its presentation as herein required; in which event it must be rendered without unnecessary delay.

8. Explanations will include only such statements of facts, and of conduct or intentions of the student as may be necessary to a full and correct understanding of the case, but will not be made the medium of complaint or criticism, or of irrelevant remarks. The jurisdiction of the Battalion officers respecting offences reported, ceases with their report, and all communications in reference thereto must be made to the Professor of Military Science and Tactics.

9. [Provision was made here for the form of explanation for an offense. This was to give the date, the offense and the explanation for it, and was to be signed by the person submitting it, his company and rank also being given.]

10. All explanations or other official communications will be written on white, ruled "letter paper," and shall be, when delivered to their address, of the size of a half sheet of paper folded into three equal parts; no such communication being made on a piece of paper of less size than one of such parts.

11. The Officer of the Day will be detailed from the roster of senior officers, and will report to the Professor of Military Science and Tactics at orderly hours on the day following his detail.

12. He will cause all signals to be sounded at the proper time by the Orderly Musician. He will be present at all parades and roll-calls during his tour, and require that the absentees be reported to him.

13. On being relieved he will submit to the Professor of Military Science and Tactics a report of all violations of the regulations or orders which may come to his knowledge during his tour of duty, stating the names of each offender, with a clear and definite description of his offense, and the circumstances of time and place, when not necessarily understood, adding in a column of remarks such explanations as may be appropriate. He will add to his report that he has faithfully performed all the duties enjoined by the Professor of Military Science and Tactics, and Regulations, and shall present with it all permits that may have come into his hands during his tour.

14. All official communications from students, intended for the Professor of Military Science and Tactics, will be addressed to the Battalion Adjutant.

15. Orderly hours will be from 9 A. M. to 10:20 A. M., (except on Saturdays and Sundays), at which time the Professor of Military Science and Tactics will transact business with students in his office, and where the Battalion Adjutant may be found from 8 to 8:30, and 11 to 12 A. M. on the same days.

16. The Professor of Military Science and Tactics shall cause a Register to be kept of all offences which may take place in his department, and shall, at the end of every week, report to the President the names of those Students who have been guilty of offences, and the action taken thereupon.

17. Strict attention to all Military duties and proprieties is required, and for all offences and misconducts therein, demerits will be given at the discretion of the Professor of Military Science and Tactics, and the demerits given for Military offences will affect the standing of the student in the University, and any student receiving ten or more demerits for military offences during any one term, shall be suspended two weeks from the Institution. The same respect and obedience is due the officers and non-commissioned officers of the Battalion in the line of military duty, as to the Professor of Military Science and Tactics.

By order of LIEUT. SCHENCK, Prof. Military  
Science and Tactics

OFFICIAL:

R. J. WILSON

1st Lieut. and Adjt.

R. J. WILSON

1st Lieut. and Adjutant.

## VI [Added in Regents' minutes]

The Professor of Military Science and Tactics will select from their respective classes the Staff Lieutenants and non-commissioned officers for their soldier like bearing, attention to and knowledge of military duties and from the Senior class sixteen members from whom the Battalion under his direction will elect four as Captains, four as first and eight as second Lieutenants, to be approved by him and assigned to the different companies in the order of their election. These officers and non-commissioned officers will hold their appointments during good conduct and strict attention to duty.

N. B. The course of instruction includes, under the head of Theoretical Instruction:

1st. Composition and organization of Armies—in different countries from earliest historic ages to the present day.

2d. The supply of Armies—showing the mode of arming, equipping, clothing, and feeding armies by the leading nations.

3d. Moving of Armies—including transportation by land or water; marches in our own or a friendly country and marches in the vicinity of an enemy.

4th. Passage of Rivers—on ice, by fords, by boats, &c.

5th. Military Bridges—improvised from boats of the country; the construction and use of pontoon bridges; the repair and preservation of bridges and the destruction of the same; the theory and use of flying bridges; of bridges on casks and inflated skins; the attack and defense of different kinds of bridges with historical notices of military bridges in general.

6th. Field Fortifications—showing mode of construction of the different kinds of field works; of attacking and defending the same.

7th. Theory of Fire—including the phenomena of the combustion of gun powder; the theory of the flight of projectiles and principles of gunnery; discussion of the shapes and properties of projectiles and the principles of target practices; calculation of initial velocities, &c.

8th. Principles of Strategy.

9th. Historical sketches of guns and small arms from the earliest times down to the present day.

Your committee would respectfully recommend that the sum of two hundred and fifty dollars be appropriated for incidental ex-

penses of this chair, and the sum of one hundred and fifty dollars be appropriated for the purpose of erecting a building for the protection of the section of Artillery in charge of this chair.

Your committee would call the attention of the Board to the establishment of Signal Stations by the U. S. Government at various points in the U. S. for the benefit of Agriculture, Commerce and Science and would recommend that the Chairman of this Board be directed to apply to the Hon. Sec't'y. of War for the detail, to report to the Prof. of Military Science and Tactics, [of] an observation Sergeant of the Signal Service of the U. S. Army for the establishment of a Signal Station and for instruction of students in Meterology, Climatology, and practical Telegraphy. All of which is respectfully submitted.

ARTHUR T. REEVE

For Committee

On motion the foregoing report of the Committee on Military Matters was adopted except so much of same, or that part, relating to the appropriation of money and all that part of said report referring to finances or appropriations is referred to the Committee on Appropriations and Finances.

On motion of Judge McKean the following resolution was passed:

Resolved that any student of the University may be excused for good cause from serving under military drill by the President.

Adopted.

## APPENDIX B

### EXPENDITURES OF THE UNIVERSITY FOR MILITARY TRAINING

The following table is compiled in order to determine as nearly as possible the direct cost of military training to the University. It is compiled from the annual reports of the Secretary of the University and the University budgets in the minutes of the various governing bodies. All expenditures directly charged against the department are included but indirect charges, such as heat, light, and janitor service can not be ascertained.<sup>267</sup>

DATE	PURPOSE	FOR MILITARY DEPARTMENT	FOR BAND
1863-1865	Military	\$500.00 <sup>268</sup>	
June 2, 1866	Arms lost, etc.	78.09	
1874-1875	Equipment, etc.	387.41	
1875-1876	Equipment, etc.	221.35	
1877-1878	Equipment, etc.	50.00	
1878-1879	Equipment, etc.	75.00	
1879-1880	Equipment, etc.	17.20	
1880-1881	Equipment, etc.	38.63	
1881-1882	Equipment, etc.	22.62	
	Band for commencement		\$100.00
1882-1883	Equipment, etc.	26.27	
	Band		211.69
1883-1884	Equipment, etc.	34.90	
	Band music, etc.		233.65
	Drum major's uniform		50.00

<sup>267</sup> Prior to the year 1890-1891 the expenditures were itemized in reports and not summarized by departments. The totals given before this year are the sum of the individual expenditures which are obviously for labor and materials for the Military Department. Incidental band expenditures are included in the incidental military appropriations.

<sup>268</sup> Of the total of \$2000 appropriated for military and gymnastic training, \$1924.68 was expended. It is uncertain how much of the \$500 set aside for military training was spent for this purpose and how much was applied to the gymnastic work.



DATE	PURPOSE	FOR MILITARY DEPARTMENT	FOR BAND
1884-1885	Equipment, etc.	33.40	
	Band		251.53
1885-1886	Equipment, etc.	25.26	
	Band		155.90
1886-1887	Equipment, etc.	34.25	
	Band		196.00
1887-1888	Equipment, etc.	<sup>269</sup>	
	Band		200.00
1888-1889	Exchange of U. S. arms	188.25	
	Band		200.00
1889-1890	Band		200.00
1890-1891	Band instructor		169.17
	Military supplies, etc.	125.00	
	Band		125.00
1891-1892	Band instructor		176.30
	Military supplies	74.97	
1892-1893	Band instructor		141.00
	Military supplies	75.00	
1893-1894	Band instructor		127.03
	Military supplies	75.00	
1894-1895	Band instructor		149.73
	Military supplies	75.00	
1895-1896 <sup>270</sup>	Band instructor		150.00
	Military supplies	68.07	
	New band instruments		100.00
1896-1897	Band instructor		139.25
	Military supplies	56.59	
	Band instruments		250.00
1897-1898	Band instructor		100.00
	Military supplies and band instruments	126.29	
1898-1899	Military instructor	300.00	
	Band instructor		100.00
	Military supplies	12.00	

<sup>269</sup> Due to a change in the form of reporting expenditures it is impossible to ascertain the military expenditures from 1887-1888 to 1889-1890, inclusive.

<sup>270</sup> Publication of Vogdes's *Notes on Minor Tactics* was also allowed \$100.00 but this was returned from the sale of the books.

DATE	PURPOSE	FOR MILITARY DEPARTMENT	FOR BAND
1899-1900	Military instructor	300.00	
	Band instructor		100.00
	“Military”	99.50	
1900-1901	Military instructor	300.00	
	Band instructor		100.00
	Military supplies	179.48	
1901-1902	Salaries	500.00	150.00
	Apparatus and supplies	182.00	
	Missing arms claimed by War Department	182.45	
1902-1903	Salaries	500.00	150.00
	James Kirby, armorer	60.00	
	Apparatus, supplies, and rent	150.00	
1903-1904	Salaries	500.00	150.00
	J. F. Kirby	60.00	
	Apparatus and supplies	117.69	
1904-1905	Salaries	500.00	150.00
	H. M. Pratt, armorer	60.00	
	Compensation to professional students playing in band		150.00
	Apparatus and supplies	50.00	
1905-1906	Salaries	240.00	150.00
	Band support		250.00
	Apparatus and supplies	50.00	
	Lost arms and equipment	94.55	
1906-1907	Salaries	288.00	150.00
	Band support		250.00
	Officers' sabres and belts	177.00	
	Supplies	51.31	
	Cases for rifles	213.50	
1907-1908	Salaries	288.00	300.00
	Supplies	150.08	
1908-1909	Salaries	288.00	300.00
	Supplies, etc.	180.46	
1909-1910	Salaries	300.00	300.00
	Supplies, equipment, etc.	85.00	

DATE	PURPOSE	FOR MILITARY DEPARTMENT	FOR BAND
1910-1911	Salaries	288.00	500.00
	Supplies, equipment, etc.	249.98	
1911-1912	Salaries	1000.00	500.00
	Band members		500.00
	Supplies, equipment, etc.	612.84	
1912-1913	Salaries	1000.00	500.00
	Band members		465.00
	Supplies, etc.	243.08	
1913-1914	Salaries	1008.34	500.00
	Supplies, etc.	523.17	
	Band members		500.00
1914-1915	Salaries	1000.00	500.00
	Band members		460.00
	Supplies, etc.	411.32	
1915-1916	Salaries	1000.00	800.00
	Band members		475.00
	Supplies, etc.	376.56	
1916-1917	Salaries	1020.83	925.00
	Band members		505.00
	Supplies, etc.	1008.83	
Summer Ses- sion, 1917	Salaries	300.00	
1917-1918	Salaries	1663.32	1100.00
	Band members		495.00
	Supplies, etc.	1048.22	
Summer Ses- sion, 1918	Salaries	225.00	
1918-1919	Salaries	936.66	1200.00
	Supplies	916.70	
	Assistance	24.05	
1919-1920	Salaries	1840.00	1700.00
	Supplies, assistance, printing, and equipment	717.73	
	Band members		750.00

## THE MILITARY DEPARTMENT

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DATE	PURPOSE	FOR MILITARY DEPARTMENT	FOR BAND
1920-1921	Salaries	2400.00	1700.00
	Supplies, assistance, printing, and equipment	1788.78	
	Band members		500.00
1921-1922	Salaries	2400.00	1700.00
	Band		500.00
	Supplies, etc.	2022.91	
	Total	<u>\$34,893.89</u>	<u>\$22,951.25</u>
Cost per year		730.00	559.78
Estimated cost per year per man		3.00	

## APPENDIX C

### PROFESSORS OF MILITARY SCIENCE AND TACTICS

YEARS	NAME	RANK
1874-1875	ALEXANDER D. SCHENCK	First Lieutenant, 2nd Artillery
1877-1879	JAMES H. CHESTER	First Lieutenant (Brevet Captain), 3rd Artillery
1880-1883	GEORGE A. THURSTON	First Lieutenant, 3rd Artillery
1883-1886	EDWARD C. KNOWER	First Lieutenant, 3rd Artillery
1886-1889	JOSEPH CALIFF	First Lieutenant, 3rd Artillery
1889-1893	GEORGE W. READ	First Lieutenant, 5th Cavalry (now a Major General)
1893-1897	CHARLES B. VOGDES	First Lieutenant, 1st Infantry
1897-1898	HANSON E. ELY	Second Lieutenant, 17th Infantry (now a Major General)
May-June, 1898	F. A. SOLEMAN	Cadet Major
1898-1899	GEORGE S. SCHAEFFER	Cadet Major
1899-1900	FREDERICK S. HOLSTEEN	Cadet Major
1900-1901	GORDON F. HARKNESS	Cadet Major
1901-1905	GEORGE RITTER BURNETT	First Lieutenant, 9th Cavalry, retired
1905-1909	CHARLES W. WEEKS	First Lieutenant 30th Infantry (now a Lieutenant Colonel of Infantry)
1909-1912	MORTON C. MUMMA	First Lieutenant, 2nd Cavalry (now a Lieutenant Colonel of Cavalry)

YEARS	NAME	RANK
August 15- December 15, 1912	JAMES A. MARS	First Lieutenant of Cavalry (now a Major in the Air Service)
January 1- August 1, 1913	CORBIT S. HOFFMAN	First Lieutenant of Infantry (now a Major of Infantry)
1913-1916	ROBERT T. PHINNEY	First Lieutenant of Infantry (now a Major of Infantry)
1916-1917	MORTON C. MUMMA	Captain of Cavalry
1917-1918	ANDREW C. WRIGHT	Captain of Infantry, retired
1919-1923	MORTON C. MUMMA	Lieutenant Colonel of Cavalry

# APPENDIX D

## BAND DIRECTORS

YEAR	NAME	TITLE
1881-1882	A. A. (Wm.?) LADD	
1882-1883	T. B. McAULEY	Leader
	ALBERT XANTEN	Musical director
1883-1884	C. W. WILCOX	Executive leader
	ALBERT XANTEN	Musical director
1884-1885	C. W. WILCOX	Leader
	A. J. MAUGHLIN	Musical director
1885-1886	V. R. LOVELL	Leader
	J. H. DICKEY	Musical director
1886-1887	JOHN H. SINNETT	Leader and manager
	FRANK S. ABY	Musical director
	F. B. TRACY	Musical director
1887-1888	JOHN H. SINNETT	Leader
	F. B. TRACY	Musical director
1888-1889	W. B. LAFORCE	Musical director
	F. E. SMITH	Leader
1889-1890	F. SPEVACEK	Musical director
1890-1893	F. W. THOMPSON	Musical director and leader
1893-1894	U. R. BILLS	Leader and director
	MILL HESS	Leader and director
1894-1895	HUGH A. WHITTEMORE	Leader
1895-1896	R. J. GAINES	Leader
	F. McCLELLAND	Leader
1896-1898	F. McCLELLAND	Leader
1898-1903	O. A. KUCK	Director and captain
1903-1905	F. R. MOLSBERRY	Director and captain
1905-1906	ORIE ELMER VAN DOREN	Director and captain
1906-1909	HENRY G. COX	Band master
1909-1911	HOWARD J. BARNUM	Band master
1911-	ORIE ELMER VAN DOREN	Band master

## APPENDIX E

### SENIOR CADET OFFICERS<sup>271</sup>

YEAR	NAME	RANK
1898	F. A. SOLEMAN	Major
1901-1902	W. O. COAST	Major
1902-1903	R. M. ANDERSON	Major
1903-1904	H. E. SPANGLER	Major
1904-1905	C. P. SCHENCK	Major
1905-1906	WYLLIE WEBB FAY	Major
1906-1907	No major appointed	
1907-1908	I. C. HASTINGS	Major, 1st Battalion
	E. E. RORICK	Major, 2nd Battalion
1908-1909	R. V. COOK	Major, 1st Battalion
	J. C. HOLLMAN	Major, 2nd Battalion
1909-1910	E. S. HARDEN	Colonel
1910-1911	W. L. SCHENCK	Colonel
1911-1912	CLIFFORD POWELL	Colonel
1912-1913	H. F. FULLER	Colonel
1913-1914	JAMES L. CHAPMAN	Colonel
1914-1915	CARROLL B. MARTIN	Colonel
1915-1916	CHASE W. HOADLEY	Colonel
1916-1917	FLOYD PHILBRICK	Colonel
October, 1917, to		
January 15, 1918	PAUL R. ROCKWOOD	Colonel
January 15, 1918		
to June, 1918	LEWIS B. MILLER	Colonel
1919	JAMES A. HOLLINGSWORTH	Colonel
1919-1920	VERNE M. MYERS	Colonel
1920-1921	LOWELL S. NEWCOMB	Colonel

<sup>271</sup> This table which was compiled from the catalogues of the State University of Iowa gives the senior cadet officers since the first appointment of cadet majors as before that time the seniority among the cadet captains is uncertain.



YEAR	NAME	RANK
1921-1922 <sup>272</sup>	ROBERT L. BLOCK	Colonel, Infantry
	LOVELL F. JAHNKE	Colonel, Engineers
	ALAN C. ROCKWOOD	Colonel, M. T. C.
	FRANCIS V. MORRISON	Colonel, M. T. C.

<sup>272</sup> Under a new ruling of the War Department it was necessary to appoint a cadet colonel in command of the regiment who had not completed four years of training. The officers who had completed more than this amount of instruction were commissioned as cadet colonels and assistant instructors.

## SOME PUBLICATIONS

*Mississippi Valley Beginnings.* By Henry E. Chambers. New York: G. P. Putnam's Sons. 1922. 389 pp. Maps, plates. Historians have found in the Mississippi Valley a fertile field for study and this volume contains a large amount of material on the history of the region. It covers the period from the earliest settlements down to about 1850. The French and Spanish regimes, the westward movement of the English, life among the pioneers, the coming of the Acadians, the purchase of Louisiana, western unrest, the advance of slavery, traffic on the Mississippi, and the organization of the district into Territories and States are presented in vivid language.

The story is in popular style and the emphasis throughout is upon the personal side of history. The picture of pioneer living conditions is painted in detail, while incidents of political and military activities are subordinated.

Since the population of Iowa in 1840 was slightly more than 43,000, and that of Wisconsin a little less than 31,000, one may question the statement of the author that "By 1840 the southeastern corner of Iowa began to receive a part of the overflow from population streams pouring into Wisconsin and Missouri."

The volume is provided with a bibliography and an index.

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*A Prehistoric Island Culture Area of America*, an extensive paper by J. Walter Fewkes, is included in the *Thirty-fourth Annual Report of the Bureau of American Ethnology*. The report covers the West Indies.

Volume forty-one of the *Archives of Maryland* contains the third installment of the *Proceedings of the Provincial Court of Maryland, 1658-1662*, edited by Bernard Christian Steiner.

*The Creation of the Presidency, 1775-1789*, a monograph by

Charles C. Thach, Jr., appears in a recent number of the *Johns Hopkins University Studies in Historical and Political Science*.

*Source Material for the Study of American History in the Libraries of Chicago* is the title of an article compiled by George B. Utley and printed in a recent number of *The Papers of the Bibliographical Society of America*.

Volume one of the *Records of the Moravians in North Carolina*, edited by Adelaide L. Fries, has just been published as one of the *Publications of the North Carolina Historical Commission*. The account covers the years 1752 to 1771.

The *Bulletin of the Virginia State Library* for April-July, 1922, contains *Justices of the Peace of Colonial Virginia, 1757-1775*, reprinted from a manuscript record deposited in the Virginia State Library.

Charles W. Moores is the author of a biographical monograph entitled *Abraham Lincoln, Lawyer*, recently reprinted in the *Indiana Historical Society Publications* from the *Proceedings of the American Bar Association* for 1910.

*The Office of Sheriff in Scotland: Its Origin and Early Development*, by C. A. Malcolm, is one of the articles in the *Scottish Historical Review* for January.

Robert H. Lowie is the author of a monograph on *Crow Indian Art* published in a recent number of the *Anthropological Papers of the American Museum of Natural History*. In the same publication Mr. Lowie has a monograph on *The Material Culture of the Crow Indians*.

*Literature of Buffalo*, taken from the *Municipality of Buffalo, New York — A History*, by Henry Wayland Hill, *Connecticut College*, by Benjamin T. Marshall, *The Narragansett Trail*, by Thomas W. Bicknell, *Early Discoveries and Explorations*, by Frank R. Holmes, and *Marquette's Monsters*, by Jacob P. Dunn, are among the articles in *Americana* for January.

*Pluralism: A Point of View*, by George H. Sabine, and *The Influence of Political Platforms on Legislation in Indiana*, by Burton

Y. Berry, are two articles in *The American Political Science Review* for February.

The three articles in *The Journal of Negro History* for January are the following: *The Educational Efforts of the Freedmen's Bureau and Freedmen's Aid Societies in South Carolina, 1862-1872*, by L. P. Jackson; *The Religion of the American Negro Slave: His Attitude Toward Life and Death*, by G. R. Wilson; and *Prudence Crandall*, by G. Smith Wormley.

The first installment of *To Nebraska in '57*, a diary of Erastus F. Beadle, is published in the February number of the *Bulletin of the New York Public Library*. After his return from Nebraska, Mr. Beadle became a resident of New York City where he was a member of the firm publishing "Beadle's Dime Novels", a series begun in 1860.

*Was the Nebraska Administrative Code Repudiated at Last Election?*, by Ralph S. Boots, *The National Budget System*, by H. M. Lord, and *The Legislative Body in City Manager Government*, by Henry M. Waite, are three of the articles in the February issue of the *National Municipal Review*.

*Some Aspects of Protection Further Considered*, by Frank D. Graham, and *Prices and the Quantity of Circulating Medium, 1890-1921*, by Holbrook Working, are two of the papers in *The Quarterly Journal of Economics* for February. The March number contains, among others, an article on *The Tariff Act of 1922*, by Abraham Berglund, and *Financial Argument for Federal Aid to Education*, by Rufus S. Tucker.

The January number of *The Annals of the American Academy of Political and Social Science* contains a large number of papers on the general subject, *Public Welfare in the United States*. In the issue for March the subject is the *Direct Primary*. Among the articles is one on *The Workings of the Direct Primary in Iowa*, by Frank E. Horack.

Continuations of three papers — *Salem Vessels and Their Voyages*, by George Granville Putnam; *Essex County Vessels Cap-*

tured by *Foreign Powers, 1793-1813*; and *The Suppression of Piracy in the West Indies*, by Francis B. C. Bradlee — are found in the January issue of *The Historical Collections of the Essex Institute*. The articles by Mr. Putnam and Mr. Bradlee are continued in the April number. *Forty Years Ago in Salem: Extracts from the Diary of Francis H. Lee* is another paper in this number.

*Land Utilization in the United States: Geographical Aspects of the Problem*, by O. E. Baker, is one of the papers in *The Geographical Review* for January. *Massachusetts and Its Position in the Life of the Nation*, by Calvin Coolidge, *America's Amazing Railway Traffic*, by William Joseph Showalter, *Missouri, Mother of the West*, by Frederick Simpich, and sixteen pages of colored illustrations, entitled *Western Views in the Land of the Best*, are the four contributions to the April number.

*Fields for Research in Southern History after Reconstruction*, by Ella Lonn, *Possibilities for Research in New Orleans*, by Julie Koch, and *The Study of State History in the High Schools of Missouri*, by E. M. Violette, are three of the articles in the January issue of *The Historical Outlook*. In the number for February are reports of the meetings of associations and committees. *The Responsibility for the Failure of Compromise in 1860*, by W. E. Tilberg, and *History as a Social Study*, by Harriet E. Tuell, are two of the papers in the March issue. The April number contains, among others, an article by W. H. Ellison on *Geographic Influences in Pacific History* and one by E. D. Ross on *Nationalization of the Democratic Party*.

#### WESTERN AMERICANA

Frederick Jackson Turner and Frederick Merk have recently issued a revised *List of References on the History of the West*.

*El Palacio* for February 15, 1923, contains a report on the purposes and work of the School of American Research by the director, Edgar L. Hewett.

*The River of Lost Mills* is the title of an article relating to Iowa, by Florence L. Clark, published in *The Northwestern Miller* for October 18, 1922.

*The Hopewell Mound Group of Ohio*, by Warren K. Moorehead, has been published by the Field Museum of Natural History as a number in their anthropological series.

The *Industrial Development of Kansas*, by P. F. Walker, has been published in two parts by the University of Kansas as *Engineering Bulletin*, No. 12.

*From Vermont to Vermontville* is the title given to a letter and biographical sketch relating to the experiences of Mr. and Mrs. Sylvester Cochrane in their emigration to Michigan in 1838, which are published in the January number of the *Burton Historical Collection Leaflet*.

The *Year Book of the Society of Indiana Pioneers* for 1922 contains an address by Jacob P. Dunn on *The Religious Life of the Pioneer Settlers of Indiana* and reminiscences by John C. Wright entitled *Living and Religious Customs of Pioneers in Western Indiana*.

The *Jahrbuch der Deutsch-Amerikanischen Historischen Gesellschaft von Illinois*, Volume XX-XXI, for 1920 and 1921, contains an extended article by B. A. Uhlendorf on *Charles Sealsfield: Ethnic and National Problems in His Works*. Sealsfield was a native of Moravia who wrote a number of novels relating to the Mississippi Valley, especially the southwest. He died in Switzerland in 1864.

*The Influence of Chicago Upon Abraham Lincoln*, an address delivered by William E. Barton before the Chicago Historical Society on February 10, 1922, has recently been issued in pamphlet form by the University of Chicago Press.

*The Wisconsin Archeologist* for December, 1922, contains a study of the archeological discoveries around Lake Monona, prepared by Charles E. Brown.

*Californian Kinship Terminologies*, a monograph by Edward Winslow Gifford, has been published as a recent number of the *University of California Publications in American Archaeology and Ethnology*.

*A Study of "Monarchical" Tendencies in the United States, from 1776 to 1801*, a monograph by Louise Burnham Dunbar, is published in the *University of Illinois Studies in the Social Sciences* for March, 1922.

Four of the papers in the January number of *The Quarterly Journal of the University of North Dakota* are the following: *Electioneering in Eighteenth Century England*, by Clarence Perkins; *Improving North Dakota Bar Admission Requirements*, by Lauriz Vold; *A Bird's Eye View of General Educational Administration in North Dakota with Suggestions for Its Betterment*, by George A. McFarland; and *A Brief Survey of the Teaching Situation in the Elementary Schools of North Dakota*, by Francis M. Garver.

#### IOWANA

*The History of Fort Dodge*, by J. H. Schaffner, is continued in the January, February, and March numbers of *The Community Builder*, published by the Ft. Dodge Chamber of Commerce.

*The Journal of the Iowa State Medical Society* for January contains another installment of D. S. Fairchild's *Physicians Who Located in Iowa in the Period Between 1850 and 1860*.

*Race Discrimination in Naturalization*, by D. O. McGovney, and *The Coronado Coal Case and Its Consequences*, by George C. Lay, are the two articles in the March issue of the *Iowa Law Bulletin*.

*Captain John Grout of Watertown and Sudbury, Massachusetts, and Some of His Descendants: A Contribution Toward a Genealogy of the Grout and Allied Families With Special Reference to the Line of Henry Whittemore Grout of Waterloo, Iowa*, compiled by Elizabeth E. Boice Jones, has recently been published by Henry Whittemore Grout.

*Willson Alexander Scott*, by Ida M. Huntington, *Dr. Julius A. Reed, a State Builder*, by James L. Hill, and *A Pioneer Story*, by Mrs. P. V. Van Arsdale, are the three articles in the *Annals of Iowa* for April, 1922. There is also a series of short extracts from

newspapers relating to Keokuk, the Indian chief, under the title *Historical Resources of the Historical Department of Iowa*.

## SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Bordwell, Percy,

*An Eighteenth Century Deed* (Iowa Law Bulletin, January, 1923).

Briggs, John Ely,

*Legislative Episodes* (The Palimpsest, March, 1923).

Brown, Bernice,

*April Floods* (Hearst's International, February, 1923).

*The Cross-Beam* (The Century Magazine, February, 1923).

*The Shining Road*. New York: G. P. Putnam's Sons. 1923.

Brown, Charles Reynolds,

*The Art of Preaching*. New York: Macmillan Co. 1922.

Buckmaster, Richard Price,

*Chasing the Crooks* (The American Furrier, November, 1922).

*New York Fur Center of the World* (The American Furrier, October, 1922).

*A Sorceress that Never Dies* (The American Furrier, November, 1922).

Bunten, Florence Hines,

*The Night Path* (Scribner's Magazine, February, 1923).

Burrows, J. M. D.,

*Ventures in Wheat* (The Palimpsest, February, 1923).

Canaday, Elizabeth,

*The Gift of Prayer* (Iowa Children's Home Herald, December, 1922).

Case, Clarence Marsh,

*Non-Violent Coercion*. New York: Century Co. 1923.

Clark, Florence L.,

*The River of Lost Mills* (The Northwestern Miller, October 18, 1922).



Cooper, Zada M.,

*Drugs and Medicines of the Bible* (Spatula, December, 1922).

*The Pharmacist in Literature* (Spatula, November, 1922).

Corcoran, H. J.,

*Municipal Fire Protection* (American Municipalities, February, 1923).

Craig, Hardin,

*Terentius Christianus and the Stonyhurst Pageants* (Philological Quarterly, January, 1923).

Edwards, J. H.,

*The Duties of an Electrical Engineer of a Coal Mining Company* (The Transit, January, 1923).

Eldred, Myrtle Meyer,

*Growing, Sturdy School Children* (Fruit, Garden and Home, January, 1923).

*Poor Little Things* (Iowa Children's Home Herald, December, 1922).

Eriksson, Erik McKinley,

*The Third Year of the League of Nations* (The Historical Outlook, April, 1923).

Flanagan, Hallie F.,

*The Curtain* (The Drama, February, 1923).

Ford, Arthur H.,

*Better Voltage Regulation Increases Output* (Electrical World, January 6, 1923).

*Electrical Engineering as a Profession* (The Transit, December, 1922).

Gardner, Nellie E.,

*Feeding and Saving the Intellectuals of Russia* (The Iowa Alumnus, February, 1923).

Glaspell, Susan,

*Dwellers on Parnassus* (The New Republic, January 17, 1923).

- Haines, Austin,  
*The Crimes of Law Enforcement* (The New Republic, February 14, 1923).
- Harris, Clare Winger,  
*Persephone of Eleusis*. Boston: The Stratford Co. 1923.
- Harwood, Herbert M.,  
*Los Angeles Possesses a Tested Stability—Hoover* (Los Angeles Realtor, December, 1922).
- Higbee, Frederick G.,  
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## SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

- Sketch of the life of Zerah Cottrell, in the *Waterloo Courier*, January 1, 1923.

A township map of Iowa in 1854, in the *Webster City Daily News*, January 3, 1923.

Buffalo in Hancock County, in the *Britt News*, January 3, 1923.

Sketch of the life of H. V. Dwelle, in the *Northwood Anchor*, January 3, 1923.

Coal famine at Rockwell City in 1882, in the *Rockwell City Republican*, January 4, 1923.

Samuel Maxwell, former slave, in the *Arlington News*, January 4, 1923.

Sketch of the life of John Schneider, early settler in Plymouth County, in the *Le Mars Sentinel*, January 5, 1923.

The Norwegian settlers in Story County, in the *Nevada Journal*, January 5, 1923.

Recollections of the Mississippi River, by J. M. Turner, in the *Burlington Saturday Evening Post*, January 6, 1923.

Iowa's first locomotive, in the *Des Moines Capital*, January 7, 1923.

Diary of Joseph Lawless, in the *Des Moines Register*, January 7, 1923.

George W. Kingsnorth's story of the Sully expedition, in the *Sioux City Tribune*, January 9, 1923.

Old graves in gravel pit at Arnold's Park, in the *Marshalltown Times-Republican*, January 9, 1923.

Sketch of the life of Mrs. Catherine Tallmann, said to have been the oldest resident of Iowa, in the *Anamosa Journal*, January 11, 1923.

Sketch of the life of Frederick Wichman, in the *Mason City Gazette*, January 12, 1923, and the *Waterloo Courier*, January 13, 1923.

The blizzard in 1873, in the *Des Moines Register*, January 14, 1923, the *Estherville Democrat*, January 17, 1923, the *Sabula Gazette*, January 25, 1923, the *Lime Springs Sun-Herald*, February 1, 1923, and the *Guttenberg Press*, February 22, 1923.

- Chronology of Iowa, in the *Elgin Echo*, January 18, 1923.
- Early railroad time table, in the *Tama Herald*, January 18, 1923.
- Early days in Burlington, by J. L. Waite, in the *Burlington Hawk-Eye*, January 21, 28, February 4, 11, 18, 25, March 4, 11, 18, 25, 1923.
- The Hamilton family, in the *Iowa City Press-Citizen*, January 23, 1923.
- The Shakers in Iowa, in the *Oskaloosa Herald*, January 24, 1923.
- Sketch of the life of J. E. King, in the *Eldora Herald*, January 25, 1923.
- The old school bell in Winterset, in the *Winterset Madisonian*, January 25, 1923.
- The first printing press in Iowa, in the *Monticello Times*, January 25, 1923.
- The landing place of Joliet and Marquette, in the *Washington Journal*, January 26, 1923.
- Some old time furniture owned by Arch Foster, in the *Webster City Journal*, January 27, 1923.
- The press of early Keokuk, in the *Burlington Saturday Evening Post*, January 27, February 3, 10, 1923.
- Sketch of the life of L. H. Kurtz, in the *Des Moines Tribune*, January 29, 1923.
- Sketch of the life of Edward Corrin, in the *Cedar Falls Record*, January 29, 1923.
- Former editors of the *New Sharon Star*, in the *New Sharon Star*, January 31, 1923.
- A short history of Prairie Township, Mahaska County, in the *New Sharon Star*, January 31, 1923.
- Early recollections of New Sharon, in the *New Sharon Star*, January 31, 1923.
- Sketch of the life of Julius A. Reed, in the *Davenport Democrat*, February 1, 1923.



Mrs. Jennie Sturgis Kelley, first white child born in Black Hawk County, in the *Waterloo Courier*, February 1, 1923.

Pioneer life in Page County, by Mabel H. Kenea, in the *Clarinda Journal*, February 1, 1923.

The bond of John R. Duncan, recorder of Monroe County, in the *Albia Republican*, February 1, 1923.

Recollections of a pioneer, from the diary of Sarah Welch Nossaman, in the *Pella Chronicle*, February 1, 8, 1923.

Code making in 1848, in the *Fort Dodge Messenger*, February 2, 1923, and the *Waterloo Courier* and the *Council Bluffs Nonpareil*, February 3, 1923.

E. L. Raff and John Shadley, Civil War veterans, in the *Davenport Democrat*, February 2, 1923.

Early settlers in Traer, in the *Traer Star-Clipper*, February 2, 1923.

Sketch of the life of Crom Bowen, in the *Des Moines Tribune*, February 3, 1923.

Sketch of the life of Thomas K. Isherwood, old time Mississippi River pilot, in the *Davenport Times*, February 3, 1923.

The story of the death and burial of Black Hawk, in the *Davenport Democrat*, the *Burlington Gazette*, the *Marshalltown Times-Republican*, and the *Ottumwa Courier*, February 6, 1923, and the *Des Moines Capital* and the *Muscatine Journal*, February 7, 1923.

Mrs. Maggie Hickey McNally, first white child born in Palo Alto County, in the *Emmetsburg Tribune*, February 7, 1923.

The first banquet in Iowa, held at Burlington in honor of Governor Lucas, in the *Newton Record*, February 8, 1923.

John W. Anderson helped Lincoln's campaign, in the *Des Moines Register*, February 11, 1923.

Early history of Iowa, by Goodwin Garst, in the *Coon Rapids Enterprise*, February 16, 1923.

- Sketch of the life of John Blaul, in the *Burlington Gazette*, February 16, 1923.
- Troubles of early newspaper editors, in the *Waterloo Courier*, February 17, 1923.
- Rambles in the West in 1852, edited by Fred A. Bill, in the *Burlington Saturday Evening Post*, February 17, 24, March 3, 10, 1923.
- William Torley and John E. Jarrett, West Point's oldest citizens, in the *Burlington Hawk-Eye*, February 18, 1923.
- Scrap book owned by Seth Dean of Glenwood has items of Mills County history, in the *Council Bluffs Nonpareil*, February 18, 1923.
- Early days in the Waterloo post office, by George F. Althouse, in the *Waterloo Courier*, February 19, 1923.
- Early days on the Mississippi, by J. A. Kraus, in the *Clinton Herald*, February 19, 1923.
- Sketch of the life of H. J. Wieneke, in the *Iowa City Press-Citizen*, February 20, 1923, and the *Des Moines Register*, February 28, 1923.
- Pioneer experiences in Hancock County, in the *Kanawha Republican*, February 21, 1923.
- Sketch of the life of Mrs. Mary E. Todd, early settler at Pella, in the *Knoxville Journal*, February 22, 1923.
- Sketch of the life of Mrs. Leonora F. Foote, in the *Iowa Falls Citizen*, February 23, 1923.
- The archives of Iowa, in the *Council Bluffs Nonpareil*, February 23, 1923, and the *Sioux City Journal* and *Cedar Rapids Gazette*, February 27, 1923.
- Sketch of the life of David J. Fredler, one of the oldest settlers of Wapello County, in the *Ottumwa Courier*, February 26, 1923.
- Willson Alexander Scott, the donor of the capitol grounds at Des Moines, in the *Des Moines Tribune*, March 1, 1923.

Rafting on the Upper Mississippi, by J. W. Darrah, in the *Burlington Saturday Evening Post*, February 24, March 3, 10, 17, 24, 1923.

Sketch of the life of Isaac N. Kramer, in the *Cedar Rapids Gazette*, March 1, 1923.

An indictment for murder in early Van Buren County, in the *Storm Lake Tribune*, March 1, 1923.

Sketch of the life of Paschal Holmes, stage driver in Lee County, in the *Keokuk Gate-City*, March 1, 1923.

Stage coach days in Cedar Rapids, in the *Cedar Rapids Gazette*, March 2, 1923.

Sketch of the life of Senator William Boyd Allison, in the *Dubuque Herald*, March 3, 1923.

Early days in Waterloo, by Mrs. Mary J. LaBarre, in the *Waterloo Courier*, March 3, 1923.

Sketch of the life of John W. Darrah, in the *Burlington Saturday Evening Post*, March 3, 1923.

Sketch of the life of Captain Samuel S. Hanks, cousin of Abraham Lincoln and Mississippi River pilot, in the *Davenport Times*, March 5, 1923, and the *Burlington Saturday Evening Post*, March 10, 1923.

Sergeant Nicholas Bouquet, color bearer of the Twenty-fifth Iowa Infantry, in the *Burlington Hawk-Eye*, March 7, 1923.

Sketch of the life of Thomas Brandon, in the *Albia News*, March 8, 1923.

Execution at Charles City, in the *Charles City Press*, March 9, 1923

First Iowa college graduates, in the *Oskaloosa Herald*, March 15, 1923.

Old French trap found at Hamburg, in the *Blanchard Herald*, March 15, 1923.

Marriage of Samuel C. Muir to an Indian woman, in the *Des Moines Plain Talk*, March 15, 1923.

- Sketch of the life of James F. Horton, in the *Sioux City Tribune*, March 16, 1923.
- River traffic on the Des Moines River, by W. H. H. Barker, in the *Oskaloosa Herald*, March 17, 1923.
- Sketch of the life of Mrs. Annie Latora Flurie, first white girl born in Sioux City, in the *Sioux City Journal*, March 18, 1923.
- Samples of early paper money owned by J. R. Dunham, in the *Waterloo Courier*, March 20, 1923.
- Sketch of the life of W. A. Burnap, in the *Clear Lake Reporter*, March 20, 1923.
- Forty years ago in Lu Verne, by Verne E. Ellis, in the *Lu Verne News*, March 21, 1923.
- Sketch of the life of John P. Irish, in the *Atlantic News-Telegraph*, March 21, 31, 1923.
- The blizzard in 1856, in the *Mason City Gazette*, March 22, 1923.
- John Brown in Iowa, in the *Oakland Acorn*, March 22, 1923.
- The survey of the Des Moines Valley Railroad, by James Carss, in the *Keosauqua Republican*, March 22, 1923.
- Early days in Harlan and Shelby County, in the *Harlan Republican*, March 22, 1923.
- Anniversary of the discovery of the Upper Mississippi by Joliet and Marquette, in the *Waukon Standard*, March 22, 1923.
- Sketch of the life of George A. Gordon, in the *Emerson Chronicle*, March 23, 1923.
- Lyons in 1858, in the *Clinton Herald*, March 24, 1923.
- Sketch of the life of Mrs. Marcellus M. Crocker, in the *Des Moines Capital*, March 26, 1923, and the *Sioux City Journal*, March 29, 1923.
- Steamboat bell used by Webster City school, in the *Boone Pioneer*, March 26, 1923.
- Some famous Bibles in Iowa, in the *Des Moines Tribune*, March 28, 1923.

Life in pioneer Iowa, in the *Des Moines Register*, March 28, 1923.

Sketch of the life of Andrew Thompson, in the *Waterloo Tribune*,  
March 28, 1923.

Reminiscences of Wright County, by Mrs. A. K. Ketchum, in the  
*Webster City News*, March 28, 1923.

Pioneer business men of Des Moines, in the *Des Moines Capital*,  
March 30, 1923.

A prairie fire in 1856, by E. B. Walker, in the *Waterloo Courier*,  
March 31, 1923.

## HISTORICAL SOCIETIES

### PUBLICATIONS

*The Medford Historical Register* for December, 1922, contains an article on *Medford Church Anniversaries*.

*The Wilderness Trail*, by George Ives Haight, is a short but interesting paper in the March number of the *Chicago Historical Society Bulletin*.

The Indiana Historical Commission has recently published the *Proceedings of the Southwestern Indiana Historical Society* as Bulletin No. 16. The meeting was held at Evansville, Indiana, on January 31, 1922.

*The First Publishers of Truth*, by Ernest E. Taylor, is one of the papers in a recent number of *The Journal of the Friends' Historical Society*.

*Two Seasons' Work in Archaeology in Colorado*, by Jean Allard Jeancon, is one of the short articles in the *Bulletin of the State Historical and Natural History Society of Colorado* for November, 1922.

In addition to the reports of the State Historical Society and local auxiliary societies, the *Proceedings of the State Historical Society of Wisconsin* for 1922 contains a report entitled *The Draper Collection of Manuscripts*, by Joseph Schafer.

*The Quarterly Publication of the Historical and Philosophical Society of Ohio* for October-December, 1922, contains the annual report of the Society for the year 1922.

*Early New England Nomenclature*, by Donald Lines Jacobus, is an interesting study in local history in *The New England Historical and Genealogical Register* for January.

*New Jersey Paper Currency, 1709-1786*, by William W. Bradbeer, and *A Walking and Riding Journey West in 1811-'12*, a

diary by John Force, are two of the contributions in the *Proceedings of the New Jersey Historical Society* for January.

The three articles in the January issue of *The American Historical Review* are *European History and American Scholarship*, by Charles H. Haskins; *The London Mission of Thomas Pinckney, 1792-1796*, by Samuel F. Bemis; and *Historical Research in Russia during the Revolutionary Crisis*, by A. Presniakov.

*The True Story of the Virginia and the Monitor*, by William Tindall, is an article of general interest in the January number of *The Virginia Magazine of History and Biography*. There is also a report of the proceedings of the Virginia Historical Society for 1921 and a list of the officers and members of the Society.

*The Register of the Kentucky State Historical Society* for January contains the first installment of what is known as the "Certificate Book"—the manuscript volume containing the record of the land claims in early Kentucky. The certificates issued on proof of settlement and preëmption rights took the place of deeds. The original is in the possession of the clerk of the Fayette County court.

*The Southwestern Historical Quarterly* for January contains a paper by Charmion Clair Shelby on *St. Denis's Declaration Concerning Texas in 1717*. There are also installments of continued articles: *Indian Policy of the Republic of Texas*, by Anna Muckleroy; *Memoirs of Major George Bernard Erath*, by Lucy A. Erath; and *The Bryan-Hayes Correspondence*, edited by E. W. Winkler.

Three articles in *The Georgia Historical Quarterly* for December, 1922, are the following: *New Light Upon the Founding of Georgia*, by W. B. Phillips; *The Activities of the Missionaries Among the Cherokees*, by L. M. Collins; and *Development of Agriculture in Lower Georgia from 1890 to 1920*, by R. M. Harper. There is also another installment of the *Howell Cobb Papers*, edited by R. P. Brooks.

*The Indiana Magazine of History* for December, 1922, contains five articles: *Tecumseh and Pushmataha*, by J. Wesley Whicker;

*Pioneer Life in Boone County*, by Jane Gregory Stevenson; *Pioneer Stories of the Calumet*, compiled by J. William Lester; *Pennville*, by Ida Helen McCarty; and *Pioneer Homesteads*, by Julia Le Clerc Knox.

Volume fifty-five of the *Proceedings of the Massachusetts Historical Society* contains reports on various meetings including the annual meeting in April, 1922. Among the papers and addresses are the following: *A Chaplain of the Revolution*, by Edward Waldo Emerson; *The Seizure of John Hancock's Sloop "Liberty"*, by George G. Wolkins; and *How Massachusetts Raised Her Troops in the Revolution*, by Jonathan Smith.

The *Nevada Historical Society Papers, 1921-1922*, contains the following papers and articles: *Historical Sketches and Reminiscences of Dayton, Nevada*, by Fanny G. Hazlett; *The Truckee River*, by Robert L. Fulton; *A Brief Survey of the Musical History of Western Nevada*, by Gertrude Streeter Vrooman; *The Washo Language*, by Grace Dangberg; and *The Lake of the Deep Blue Waters*, by Gilberta Turner.

The January issue of *The Washington Historical Quarterly* contains the following articles and papers: *The Building of the Walla Walla & Columbia River Railroad*, by W. W. Baker; *The Spokane, Portland and Seattle Railroad Company*, by L. C. Gilman; a continuation of *Newspapers of Washington Territory*, by Edmond S. Meany; *Notes on the Life and Historical Services of Thomas W. Prosch*, by Charles W. Smith; *Professor Channing and the West*, by Samuel Flagg Bemis; and an installment of *Origin of Washington Geographic Names*, by Edmond S. Meany.

*The Mormon Winter Camp on the Niobrara*, by Ed A. Fry, and *My Recollection of the Early Grange in Nebraska*, by T. N. Bobbitt, are two of the short papers in *Nebraska History and Record of Pioneer Days* for January-March, 1922. In the April-June number Robert Harvey contributes an article on *The Paul Brothers of St. Paul*.

*Rhode Island in 1784*, by Paul C. Nicholson, *The Wallum Pond Estates*, by Harry Lee Barnes, and *Rev. George Whitefield's Ac-*



count of *His Visit to Rhode Island in 1740*, are three of the contributions in the January number of the *Rhode Island Historical Society Collections*.

*Wisconsin*, by William Ellery Leonard, a second installment of *The Yankee and the Teuton in Wisconsin*, by Joseph Schafer, *The Grand Army of the Republic and the Wisconsin Department*, by Hosea W. Rood, *Empire: A Wisconsin Town*, by W. A. Titus, and *Micajah Terrell Williams — A Sketch*, by Samuel M. Williams, are the articles in the March number of *The Wisconsin Magazine of History*. The *Diary of a Journey to Wisconsin in 1840* is concluded in this number.

*Some Aspects of Pittsburgh's Industrial Contributions to the Civil War*, by Louis Vaira, *The Archaeology and Early History of the Allegheny River*, by Geo. P. Donehoo, *Western Pennsylvania and the Election of 1860*, *The Attitude of the Pittsburgh Newspapers Toward the Kansas-Nebraska Bill*, by Don R. Kovar, *Application of Veto Power by Abraham Lincoln*, by Anna Prenter, and an account of the presentation of a bust of William Pitt to the city of Pittsburgh are articles included in the January number of the *Western Pennsylvania Historical Magazine*.

The *Michigan History Magazine* for October, 1922, contains a large number of articles and papers, among which are the following: *The Indian as an Orator*, by R. Clyde Ford; *Early Days in the Upper Peninsula*, by T. A. Felch; *The Michigan Club*, by Henry A. Haigh; *Chief Pokagon and His Book*, by Fred Dustin; *Some Place Names of Hillsdale County*, by Archie M. Turrell; *The Underground Railroad*, by Martha D. Aiken; *Michigan's First Justice of The Peace*, by William W. Potter; *The Beginnings of Dutch Immigration to Western Michigan, 1846*, by Henry S. Lucas; and *A Brief History of the Geological and Biological Survey of Michigan*, by R. C. Allen and Helen M. Martin.

Volume nineteen of the *Ontario Historical Society Papers and Records* contains a large number of papers and articles, among which the following may be noted: *Public Life and Services of Robert Nichol*, by E. A. Cruikshank; *When Jefferson Davis Visited*

*Niagara*, by A. J. Clarks; *The Historical Position of the Six Nations*, by Asa R. Hill; *The Diary of Benjamin Lundy Written During His Journey Through Upper Canada*, January, 1832, edited by Fred Landon; and *Deep Waterways Movements — Their Origin and Progress in Ontario*, by James Mitchell. Volume twenty contains an article on *The Exploring Expedition of Dollier and Galinée in 1669-70*, by E. A. Cruikshank, and *The Ancaster "Bloody Assize" of 1814*, by Wm. Renwick Riddell.

*State Historical Societies*, by A. H. Shearer, is one of the papers in *The Quarterly Journal of the New York State Historical Association* for October, 1922. The various kinds of historical societies and their special lines of work are described. Other articles are: *Caledonia in the Nation's Wars*, by Harriet B. Dow; *Some Early Dutch Manuscripts*, by A. J. F. von Laer; and *An Ogdensburg Letter of 1811*, by Comfort Williams.

*The Missourian*, by Walter B. Stevens, *A Century of Missouri Music*, by Ernst C. Krohn, *How Clay County Celebrated Her Centennial*, by Ethel Massie Withers, *The Five Oldest Family Newspapers in Missouri*, by Grace L. Gilmore, a continuation of *Shelby's Expedition to Mexico*, by John N. Edwards, and *Pioneer Life in Southwest Missouri*, by Wiley Britton, are the articles in the January issue of *The Missouri Historical Review*.

The *Minnesota History Bulletin* for August-November, 1921, contains three articles: *Charles Phelps Noyes*, by William W. Cutler; *Charles Wilberforce Ames*, by Arthur Sweeney; and *Knute Steenerson's Recollections — The Story of a Pioneer*. The issue for February, 1923, is a fur trade number. The two articles are *The Fur Trade in Minnesota During the British Regime*, by Wayne E. Stevens, and *The Story of the Grand Portage*, by Solon J. Buck. Among the documents is *A Description of Northern Minnesota by a Fur-trader in 1807*.

*Early Scientist of Philadelphia*, by Edgar Fahs Smith, a continuation of *George Croghan and the Westward Movement (1741-1782)*, by A. T. Volwiler, *The Washington Pedigree*, by G. Andrews Moriarity, another installment of *The Second Troop Philadelphia*

*City Cavalry*, and a *Diary of Wm. F. Higbee of a Trip Made to Western Pennsylvania in 1816-17*, contributed by Wm. H. Woodwell, are the articles and papers in the January issue of *The Pennsylvania Magazine of History and Biography*. The article by Mr. Volwiler and *The Second Troop Philadelphia Cavalry* are continued in the April number, which contains in addition a biographical sketch of Philander Chase Knox, by Albert J. Beveridge.

Volume twenty of the *Publications of the Nebraska State Historical Society* is a collection of newspaper items chiefly relating to the fur trade operations and the traffic along the highways to Oregon and California. Much of this material was taken from the *Missouri Republican* and the *Missouri Intelligencer*. The items are given chronologically, the index providing the means by which material concerning special places, persons, and events may be collected. Since newspapers are unusually valuable in presenting the contemporary view point, this compilation is decidedly worth while. The reader is confused, however, by the lack of distinction between direct quotations and summaries and between quoted paragraphs set in smaller type and notes in the same type which are inserted as explanations in the text instead of in the foot-notes.

In addition to the records of the annual meeting of the Society the *Transactions of the Illinois State Historical Society* for 1921 contains the following papers read at the meeting: *The Making of Abraham Lincoln and the Influence of Illinois in His Development*, by William E. Barton; *Art in Historic Communities*, by R. E. Hieronymus; *The Industrial Development of Illinois*, by John M. Glenn; *Some Governmental Problems in the Northwest Territory, 1787-1803*, by Chester J. Attig; *Indian Trails Centering at Black Hawk's Village*, by John H. Hauberg; *The Union League: Its Origin and Achievements in the Civil War*, by E. Bently Hamilton; and *Peter Cartwright in Illinois History*, by William W. Sweet. There are also two articles by Luelja Zearing Gross — *The Zearings, Earliest Settlers of the Name in Illinois*, and *A Sketch of the Life of Major James Roberts Zearing, M. D.* A collection of letters from Major Zearing is included.

*The Oregon Question, 1818-1828*, by Verne Blue, and *Education in the Oregon Constitutional Convention of 1857*, by Ira W. Lewis, are the two articles in *The Quarterly of the Oregon Historical Society* for September, 1922. Among the *Documents* are the following: *The Mission Record Book of the Methodist Episcopal Church, Willamette Station, Oregon Territory, North America*, with an introduction by Charles Henry Carey; *Letter of Abraham Lincoln to James T. Thornton*, and *Letter of John Ordway, of Lewis and Clark Expedition, to His Parents*. The number for December, 1922, contains an article by F. W. Howay on *John Kendrick and His Sons*. In addition there are two documents: *Methodist Annual Reports Relating to the Willamette Mission*, edited by Charles Henry Carey, and *Letters of Dr. John McLoughlin to Edward Ermatinger*, with an introduction by T. C. Elliott.

*The Louisiana Historical Quarterly* for July, 1921, contains four papers relating to the judiciary. Three of these, *Courts and Law in Colonial Louisiana*, *Servinien's Case—1752*, and an installment of *Cabildo Archives*, are edited by Henry Plauché Dart. The *Records of the Superior Council of Louisiana* are continued and A. B. Booth has an article on *Louisiana Confederate Military Records*. *Rights of Women in Louisiana*, by W. O. Hart, *Gayarre's Report on the Louisiana Archives in Spain*, edited by Henry Plauché Dart, and a further installment of *Records of the Superior Council of Louisiana*, make up the number for October, 1921. In the issue for January, 1922, are the following papers: *Remy's Lost History of Louisiana*, by Henry Plauché Dart; a review of *The Commerce of Louisiana During the French Regime, 1699-1763*, by N. M. Miller Surrey, written by Grace King; *William Johnson's Journal*; *Henry Vignaud: A Person Sketch*, by Edward Alexander Parsons; and more *Records of the Superior Council of Louisiana*.

The three articles in *The Mississippi Valley Historical Review* for December, 1922, are the following: *Nativism in the Forties and Fifties with Special Reference to the Mississippi Valley*, by George M. Stephenson; *The Origin and Early History of the Farmers' Alliance in Minnesota*, by John D. Hicks; and *The Development of*

*Industries in Louisiana During the French Regime, 1673-1763*, by Mrs. N. M. Miller Surrey. The March number contains three articles: *Old Franklin: A Frontier Town of the Twenties*, by Jonas Viles; *Kentucky Neutrality in 1861*, by Wilson Porter Shortridge; and *Celoron de Blainville and French Expansion in the Westward Journeys of John Filson, 1785*, is a contribution under the heading *Notes and Documents*. The extra number for February, which is the *Proceedings of The Mississippi Valley Historical Association, 1920-1921*, contains the report of the officers of the Mississippi Valley Historical Association and a large number of papers and addresses among which are the following: *State and Local History*, by Clarence H. McClure; *Popularizing State History*, by Floyd C. Shoemaker; *The Mohegan Indians East and West*, by George A. Wood; *The Character and Leadership of Stephen A. Douglas*, by William O. Lynch; *Ohio's German Language Press in the Campaign of 1920*, by Carl Wittke; *The Attempt of New Orleans to Meet the Crisis in Her Trade with the West*, by Erastus Paul Puckett; and *History in the State Normal Schools*, by Walter P. Davison.

#### ACTIVITIES

The Nevada Historical Society has recently issued its eighth biennial report for the years 1921-1922.

A meeting of the Historical Society of Marshall County was held at Marshalltown on January 16, 1923. Professor Glenn N. Merry gave an address on Abraham Lincoln.

On the 21st of February, 1923, a meeting was held at Ida Grove for the purpose of organizing a county historical society. G. C. Morehead of Ida Grove was elected president of the new organization and Miss Sophia Edmundson, also of Ida Grove, was chosen secretary. A vice president was chosen from each township.

The fifteenth annual meeting of the Ohio Valley Historical Association was held in the building of the Ohio Archaeological and Historical Society at Columbus, Ohio, on November 24 and 25, 1922. Clarence E. Carter, president of the Association, delivered

an address on "The State and Historical Work". W. E. Dodd gave addresses on "Lee and the Confederacy" and "The New Foreign Policy of the United States". W. W. Sweet read a paper on "Circuit-Rider Days in Ohio, 1812-1826" and E. M. Coulter discussed "The Downfall of the Whig Party in Kentucky".

The sixteenth annual meeting of the Mississippi Valley Historical Association was held at Oklahoma City, Oklahoma, on March 29 to 31, 1923. The program was followed with only a few changes. Among the papers were three by Iowa representatives: "The Economic Basis of the Populist Movement in Iowa", by H. C. Nixon; "The Genesis of the American Steel Navy, 1880-1890", by W. I. Brandt; and "The Mercenary Factor in the Creation of the Union Army, 1861-1865", by Fred A. Shannon. At the session of State and local historical societies, Benj. F. Shambaugh read a paper on "Publication Activities of a State Historical Society". The presidential address was delivered by Solon J. Buck following the dinner given by the Oklahoma Historical Society. The attendance was large considering the location of the meeting which was more distant than usual from the geographical center of the Association membership and the spirit was cordial and optimistic. At the annual business meeting held on Friday, March 30th, Eugene C. Barker was elected president and Mrs. Clara S. Paine was reelected secretary-treasurer. Theodore C. Pease, Roy Gittinger, and Wilson P. Shortridge were chosen as the new members of the executive committee and Lester B. Shippee, Herbert A. Keller, and Louise P. Kellogg were added to the board of editors. Thomas P. Martin was appointed chairman of the teachers section and Bessie L. Pierce secretary. Lester B. Shippee was elected to the newly created office of assistant managing editor. The meeting in 1924 will be held at Louisville, Kentucky.

#### THE STATE HISTORICAL SOCIETY OF IOWA

*The United States Food Administration for Iowa*, by Ivan L. Pollock, is now in press. This work will appear in two volumes and will constitute a part of the *Iowa Chronicles of the World War*.

Benj. F. Shambaugh, the Superintendent, and Bruce E. Mahan represented the State Historical Society of Iowa at the meeting of the Mississippi Valley Historical Association at Oklahoma City, Oklahoma, on March 29 to 31, 1923.

The following persons have recently been elected to membership in the Society: Mr. Reed Babcock, Sheldon, Iowa; Mr. R. S. Beall, Mount Ayr, Iowa; Mr. J. W. Beard, St. Joseph, Missouri; Mrs. J. A. W. Burgess, Iowa Falls, Iowa; Mr. George C. Carpenter, Des Moines, Iowa; Mrs. C. V. Cave, Greene, Iowa; Mrs. Ada Porter Dahl, Storm Lake, Iowa; Mrs. Jeannette Geelhoed, Pella, Iowa; Mr. Paul M. Godehn, Chicago, Illinois; Mr. Ewald A. Heiden, Sheldon, Iowa; Mr. Frank D. Hicks, Iowa City, Iowa; Mrs. H. C. Houghton, Jr., Red Oak, Iowa; Miss Blanche B. Johns, Le Mars, Iowa; Mrs. Claude H. Koon, Iowa Falls, Iowa; Mrs. William Larrabee, Clermont, Iowa; Mr. A. W. Lewis, Odebolt, Iowa; Mr. E. H. Rickman, Battle Creek, Iowa; Mr. Jno. A. Senneff, Mason City, Iowa; Miss Bessie J. Sperring, Thompson, Iowa; Mr. Walter S. Stillman, Council Bluffs, Iowa; Miss Laura Belle Walker, Forest Grove, Oregon; Mr. Lynn J. Watts, Hedrick, Iowa; Mr. Ernest L. Weaver, Clarinda, Iowa; Mr. Frank F. Wilson, Mount Ayr, Iowa; Mr. Raymond Wilson, Sac City, Iowa; Mr. C. J. Ahmann, Remsen, Iowa; Mr. J. W. Bonnell, Miles, Iowa; Mr. M. M. Dryden, Mount Vernon, Iowa; Mr. Donald G. Hunter, Des Moines, Iowa; Mr. A. M. Sanders, Odebolt, Iowa; Rt. Rev. W. A. Pope, Le Mars, Iowa; Mr. A. O. H. Setzepfandt, Iowa City, Iowa; Mr. J. F. Sproatt, Iowa City, Iowa; Mr. John H. Steck, Washington, Iowa; Dr. A. M. Stocking, Peoria, Illinois; Rev. Jas. M. Williams, Boone, Iowa; Mr. Edwin Delahoyde, Exira, Iowa; Mr. Fred W. Hann, Cedar Rapids, Iowa; Mr. Irving H. Hart, Cedar Falls, Iowa; Mr. M. R. Hueschen, Holstein, Iowa; Dr. Fred Moore, Des Moines, Iowa; Mr. D. M. Odle, Spencer, Iowa; Mr. H. J. Ries, Tiffin, Iowa; and Mr. Herman H. Trachsel, Emerson, Iowa. Mr. Dan E. Clark, Eugene, Oregon, and Mr. John M. Galvin, Council Bluffs, Iowa, have been enrolled as life members.

## NOTES AND COMMENT

The twenty-fourth annual conference of the Iowa Daughters of the American Revolution was held at Cedar Rapids on March 20-22, 1923. Benj. F. Shambaugh delivered an address on "A Quarter of a Century of Historical Work in Iowa."



## CONTRIBUTORS

ALAN C. ROCKWOOD, a graduate student in electrical engineering at the State University of Iowa. Received the degree of Bachelor of Arts in 1921 and that of Bachelor of Engineering in 1922. He was a member of the cadet regiment at the State University from 1916 to 1922, having been cadet colonel during the year 1921-1922. He has been editor of *The Transit*, the engineering publication of the University, during the year 1921-1922.

# THE STATE HISTORICAL SOCIETY OF IOWA

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## CONGREGATIONAL LIFE IN MUSCATINE<sup>1</sup> 1843-1893

Before Muscatine could be Congregational, it was necessary that it be Anglo-Saxon; and before it was Anglo-Saxon, it was first Indian, and then French.

The Muscatine or Mascoutin Indians dwelt at the mouth of the Iowa River, whence they commanded and occupied what is now known as Muscatine Island — a spot called by French explorers the Grand Mascoutin, Grand Mascoutin being an abbreviation of the French phrase — La Grande Prairie des Mascoutins. Just when Muscatine Island became known to Anglo-Saxons as the Grand Mascoutin is uncertain, but it was earlier than 1805; for in that year Zebulon M. Pike, who was ascending the Mississippi River from St. Louis, made camp — as, on August 25th, he records in his *Journal* — “on the prairie marked [on his map] as Grant’s Prairie” — a misnomer evidently for “La Grande Prairie” or “La Grande Prairie des Mascoutins”.

Muscatine — the present-day Muscatine — has, then, in a sense had a local habitation and a name from a date somewhat earlier than 1805.<sup>2</sup> But as a white man’s settlement it has existed only since about 1836, when some cabins were built near the river. In 1839 it was incorporated under the name of Bloomington; and in 1849 the name Bloomington

<sup>1</sup> An address delivered before the First Congregational Church of Muscatine on the seventy-fifth anniversary of its founding, November 17, 1918.

<sup>2</sup> For detailed comment on the name Muscatine and its history, see *Mascoutin — A Reminiscence of the Nation of Fire* in Richman’s *John Brown Among the Quakers and Other Sketches*. Interesting supplementary material may be found in Coues’s *The Expedition of Zebulon Montgomery Pike, 1805-1807*, general index under “Muscatine”.



was changed to Musquitine, or, as it is now written, Muscatine.

Congregationalism, as likewise Presbyterianism, came to Iowa as a result of the opening of the Black Hawk Purchase to settlement in 1833 — a district including all of eastern Iowa as far north as Turkey River. It came by way of Dubuque, and if other Mississippi River settlements were at all like that one, there was much need of it. “Dubuque in 1836”, writes the Reverend Asa Turner, a Presbyterio-Congregational home missionary from Yale, “we did not call a civilized place. True there were some half breeds and some whole breeds and a few miners, but it wasn’t anything anyhow”.

It was at Fort Madison, in 1836, that the first Congregational sermon was preached in Iowa, and Brother Turner was the preacher. On the journey to Fort Madison the missionary evidently took note of the site of Muscatine, for he mentions the place as “disfigured by one log cabin.” In 1838, however, Stephen Whicher, who settled here in 1839, wrote: “Bloomington, aside from its prospect of being the seat of government for Iowa Territory, will be an important place for trade. There are now not a dozen houses in the place; there may be two dozen cabins; not a lawyer in the place, nor a preacher in the neighborhood. I asked a woman why they had no preaching. She said that chickens were scarce; that when the poultry yards became well supplied, there would be no scarcity of preachers! The day is not far distant, however, (perhaps five years) when Bloomington will equal Dayton Ohio [five thousand souls] in wealth and population. . . . A good preacher who could live here without levying contributions upon the people would be the most powerful engine to make this town what it should be.”

If Congregationalism — and hence Congregational life —

may be said to have come to Iowa in 1836 in the person of the genial Asa Turner, it came to Muscatine in 1843 in the person of young Alden B. Robbins, twenty-six years old, a native of Salem, Massachusetts, and a graduate of Amherst College and Andover Theological Seminary. Muscatine in 1843 was a place of perhaps seven hundred people — not five thousand or more, as Mr. Whicher had so confidently predicted in 1838. Even so, according to Truman O. Douglass, historian of the Iowa Pilgrims, it was a “smart town”. Its chief lack was a meeting house — an evangelical one. “You look in vain for the least sign of a church”, writes a thirty-niner, “and the bell of the boat sounds tenfold more like your church-going bell at home than you will hear for years to come if you tarry this side of the Father of Waters. There are those here whose eyes fill with tears at the sound of that bell reminding them of the church bells of New England.” But our thirty-niner was somewhat in error. There was a church in Muscatine in 1843. Alden B. Robbins at no time in his life looked with favor on Catholicism, but in this year of his coming he was honest enough to say: “There are more than seven hundred people in the town, and there is no meeting house in the place *except* a small Romish Chapel, which is opened only occasionally.” The chapel referred to, be it observed, stood at the corner of Second and Cedar streets, where, in the rear of the Graham Drug Store, it stands yet. “For several Sabbaths after my arrival”, Mr. Robbins continues, “I preached at the Court House. There are connected with the Church twenty-four members — eleven males. We are all poor but we are hoping and working . . . . It is essential that we should immediately erect a house.”

Of the sermons preached at the courthouse, the first — noted by Mr. Robbins in a pocket diary which he kept — was on the text from Jeremiah: “If thou hast run with the

footmen, and they have wearied thee, then how canst thou contend with horses?" The erection of a house of worship was promptly undertaken, for on December 8, 1844, the society held services in a structure located on a hill at what to-day is the corner of Fourth and Sycamore streets. On this occasion the sermon was from the significant text: "And the Lord said unto the servant, Go out into the highways and hedges, and compel *them* to come in, that my house may be filled." The walls of the church were of home-burned brick, but the shingles for the roof came from Lowell, Massachusetts, and the bell — the same still in use — from Boston. This bell weighed some six hundred pounds and was hung in a wooden belfry at the rear of the building, whence the designation, "the Stern Wheel Church". Later designations — after the young pastor had had opportunity to give Muscatiners a taste of his quality on the slavery question — were "the damned Yankee Church", and "Uncle Tom's Cabin".

In 1852 a new Congregational Church building was erected on a hill at the corner of Third and Chestnut streets. It had a spire seventy feet high, would seat five hundred and seventy-six persons, and cost seven thousand dollars. In 1857 it became necessary to take down this building because of the grading of Third Street, and a house of worship was put up out of the old materials on the rear of the same lot at the new level. This building still stands, and after serving as an armory and drill hall — a use which would have met with the entire approval of its old-time pastor — is now occupied as a printing office. The use of the building for church purposes, however, came to an end in 1893 when it was superseded by a modern structure erected close beside it. The latter fell a prey to fire in 1907 and in 1908 was replaced by the present building.

In 1843 Reverend Asa Turner complained lustily of the

way in which the new Iowa towns were infested with lawyers. He said that Burlington with eighteen hundred inhabitants had twenty-six lawyers but no Presbyterian or Congregational minister. Whether Reverend Alden B. Robbins in 1843 found a superfluity of lawyers in Muscatine is not revealed, but the town did not lack for legal talent: there were such practitioners as Ralph P. Lowe, Joseph Williams, S. Clinton Hastings, Stephen Whicher, William G. Woodward, David Caesar Cloud, Jacob Butler, and J. Scott Richman.

S. Clinton Hastings — afterwards Chief Justice in two States and member of Congress from one — was a not infrequent attendant upon the sermons of Mr. Robbins, which he pronounced Ciceronian in style — something they certainly were not and did not pretend to be. As for Stephen Whicher, he became a member of the Yankee church in 1845. He was tall, slender, and reserved in manner. His features were regular — the nose straight, the mouth nearly a straight line, and the eyes deep set and glowing. John G. Whittier, the poet, who saw him in 1854, said of him that he was “a witty and cultured man”. Witty he assuredly was — acridly so upon occasion. To this day the tradition of his wit — with selected specimens — lingers with the Muscatine bar. His ability withal was of the best. He had studied his profession in the office of Henry Clay, and in course of time he achieved the honored position of United States District Attorney for Iowa. Apropos of lawyers as Christians, the writer remembers that one evening at prayer meeting in the Congregational Church an insurance agent raised the question of the eligibility of lawyers to the Kingdom of Heaven and was broadly smiled at by the pastor for his pains. Lawyers might be a dubious moral quantity, but what about insurance agents!

Two other lawyers of the Muscatine contingent of 1843

became Congregationalists — William G. Woodward and Jacob Butler. The former, like Stephen Whicher, was a thirty-niner. He was courtly, highly social, a graduate of Dartmouth College, and professionally a disciple of Rufus Choate under whom he had gained admittance to the bar. In Iowa he became a justice of the Supreme Court and a State Senator. He was a singer withal, and in the church of Mr. Robbins had charge of the music for many years.

The official records of the Congregational Church of Muscatine have from the first been scrupulously kept, and from them, between 1843 and 1891, there may be gleaned bits of Congregational life.

On November 20, 1843, Alden B. Robbins was invited to officiate as pastor "for the present". Between 1843 and 1857 his salary, in so far as it was locally paid, grew from \$150 in 1845 to \$500 in 1849, \$600 in 1852, \$1000 in 1855, and \$1200 in 1857 — sums equivalent in general purchasing power to three or four times as much as the same amounts to-day. It is interesting to note that although formally invited to become the permanent pastor of the church in 1849, and reminded of this call in 1851, Mr. Robbins took his time about deciding. In fact he did not accept till 1852 when the salary was increased to \$600. And even after acceptance of the call, it was not till 1854 that the pastor became a member of his own church — the church over which he had presided for ten consecutive years — through a letter from "the Church of Christ in Amherst College". It was in January, 1853, that Mr. Robbins was formally installed as permanent pastor, and Stephen Whicher thus describes the occasion: "The night was beautiful and the whole ceremony went off in good New England style; only no ball was held by the young people, and the ministers had no 'phlip' — a favorite New England winter drink made of beer, sugar, rum, and hot iron."

Congregational discipline in the forties, fifties, and even the sixties and seventies of the past century, was a thing different from what it has become since. There were then, even in Muscatine, not a few citations of members to appear and show cause why they should not suffer humiliation for their sins. As one examines the entries of the records, he almost feels himself back in the seventeenth century, with the journals of William Bradford of Plymouth Plantation and of John Winthrop of Massachusetts Bay under his eyes. To illustrate. In 1844, on October 29th, we read that "this day evening a church meeting was held at the house of Rev. A. B. Robbins a house near the Court House", to take into consideration charges preferred against a certain brother. The first charge was of "taking away three horses and one wagon and selling the same and converting the proceeds to his own private use". Then followed other charges, the indictment concluding with a charge of having sold "certain bedding and a buffalo skin to his own use." The accused put in a defense in the nature of confession and avoidance, but his guilt was deemed established, and on April 5, 1845, he was voted into outer darkness.

No other church trial seems to have been so formally conducted as this one, but in 1856 it was resolved that "we consider the case of Brother Giles Pettibone charged with running the ferry boat on the Sabbath". A motion was promptly made that Brother Pettibone be "excommunicated"; but he owned up to his delinquency with such engaging frankness, sorrow, and repentance that he was let off with "suspension from the privileges of church fellowship for one week." Giles evidently had profited by familiarity with the text, "A soft answer turneth away wrath".

But early Congregational Church discipline in Muscatine, though tinged with Puritanism, was not nearly so

rigid as it might have been. On the subject of amusements, for example, the records reveal but two entries. One bears the date of November 13, 1856, and reads: "After some conversation in reference to the attendance upon the theatre and the patronizing of dancing schools by Christians, we adjourned." The other entry, dated July 20, 1869, records a vote that the examining committee on membership "earnestly remonstrate with any of the members who practice dancing, ball attending, and card playing". No mention is here made of the theatre, but it is mentioned that two of the brethren "are commonly reported to bring reproach upon the Church by habits of intoxication".

Dancing, in all pioneer communities, is a form of amusement so spontaneous, so natural, that everybody able to command the not ungraceful use of his two legs responds to it. When therefore in the forties or fifties any Muscatineer received a note "respectfully requesting the pleasure of his company at a Cotillion Party" — under the patronage, as cotillion parties then often were, of Dr. George Reeder, Mr. J. B. Dougherty, Mr. John W. Richman, Mr. Chester Weed, Mr. Joseph Bridgman, Mr. Luke Sells, Mr. Ben Beach, and Dr. O. P. Waters — the party to be given at the Iowa House, or the American House, or the Ogilvie House, on a stated evening of November or February — the probabilities were that he would contrive to attend. Little wonder that in order to keep Congregationalists from joys so exotic to their faith, yet so rapturous, church action now and again was required. Indeed, as late as 1869, Mr. Robbins muses in bitterness thus: "A dance close by — two squares off — had at least two of our members."

As the year 1860 drew near in these United States, the question that dwarfed all others in the public mind was the question of African or negro slavery. On this question the attitude of Mr. Robbins and his "Uncle Tom's Cabin"

church was of course unequivocal and resolute. One member, however — a gentleman from Missouri admitted to fellowship in 1855 — was not in sympathy with the church and its pastor on the slavery question, and in 1858 he openly accused the pastor of “lying” in regard to the South. A church trial followed. It was short and sharp, and was marked by the passing of a resolution that the church “has the fullest confidence in the integrity, faithfulness, wisdom, and piety of its beloved and long-tried pastor; and that we hold as enemies to the Church any who make efforts to break down his influence as a minister of Christ.” But — and here the plot thickens — a further resolution that the pastor’s critic “is guilty and be expelled from the fellowship of this Church” failed to pass. Now on both resolutions the sisters of the church, for the first time in its history, had been permitted to vote; and this permission, it appears, had been granted to them over the protest of the pastor who had contended that for Congregational sisters to vote on, or even discuss, any matter of church business was not only contrary to the practice of the Muscatine church but contrary to that of Congregational churches in general. What then was the situation? It was this. By the votes of the sisters in the Lord — votes wholly out of order, at that — a traducer of the pastor had escaped punishment. One can but feel some curiosity as to what there was about the Missouri gentleman that won for him such indulgence from the Congregational sisterhood.

Whatever it was, the sisters paid for it in the end, as sisters are apt to pay for their indulgence, for at a subsequent meeting of the church it was voted that “in accordance with the uniform usage of Congregational Churches, the power of debating and voting on all business matters in this Church shall for the future be confined to the male members”. Did not the Bible say: “Let your women keep



silence in the churches . . . . And if they will learn anything, let them ask their husbands at home: for it is a shame for women to speak in the church". "Let the woman learn in silence with all subjection . . . . I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence."

Be it added that at the same church meeting a further expression of confidence in the pastor was put on record, to the effect that his "free and outspoken testimony against the sins of Slavery and Intemperance" met with unqualified approval. But one month later our Missourian — did the sisters again rally to him? — was given a letter of dismissal and recommendation to the Presbyterian Church of Muscatine.

Between 1861 and 1865 there raged the great American Civil War. The Congregational Church in Muscatine, as was to have been expected, was ardent in its support of President Lincoln and the boys in blue. But rather strangely no mention of the war or its causes is to be found anywhere in the Congregational Church records. In 1857, during the very height of the slavery contest, a negro woman sought admission to the church on the strength of a letter from the African church of the town, but it was voted not to receive her. The entry states: "In the opinion of the majority of the Church, the reasons of the applicant for being received into this Church rather than to labor for Christ in the Church and among the people of her own color are not satisfactory." Hardly consistent — was it — that in 1857 "Uncle Tom's Cabin" should stand open to Uncle Tom and at the same time remain closed to Aunt Dinah? As regards the Civil War itself, a suggestion of it is perhaps contained in the church record of April 11, 1861, that "Brother George W. Van Horne just named by President Lincoln United States Consul at Marseilles, France, having

requested a letter of dismissal and recommendation for himself and wife from this Church to any Evangelical Church of Marseilles, a motion was entertained that it be granted."

But while the church records between 1861 and 1865 failed to make mention of the war, the pastor himself did not: the pulpit was fairly clarion on the subject of the great struggle. So much so was it, that on Sunday, October 27, 1861, the pastor's diary records the following: "Some one broke in the front window glass with a club during preaching. The devil is alarmed."

Outstanding events of the Civil War period were: the firing on Fort Sumter in 1861; the Emancipation Proclamation, and the Union victories of Vicksburg and Gettysburg in 1863; the contest for the presidency between Lincoln and McClellan in 1864; and the constitutional amendment abolishing slavery, the surrender of General Lee and the assassination of President Lincoln in 1865. On all of these events Mr. Robbins spoke. In the early years of the war he often likened the southern rebellion to the "Rebellion of man against God". The Lincoln-McClellan contest of 1864 he characterized as "Choice of God or Devil"; and, apropos of the surrender of Lee in 1865, he noted: "Up to Dr. William O. Kulp's to talk and sing and pray, with thanks for the victory over Lee's army surrendered to Grant. Front windows illuminated in the evening!" Lincoln's assassination finds mention in his diary thus: "Saturday, April 15th, 1865: News of Lincoln's and Seward's Assassination came to-day." "Sunday, April 16th: House of worship covered with crape for President Lincoln." "Sunday, April 23rd: Preached to full House on death of President Lincoln." "Sunday, May 7th: 'Preached on Finding out a Man'—with allusion to John Wilkes Booth." What text was chosen for the sermon on Abraham Lincoln is not

stated, and this we can but regret. No clergyman could excel the pastor of the "Uncle Tom's Cabin Church" in selecting texts that were themselves sermons.

But, as was natural, the war interest of Alden B. Robbins centered in the Emancipation Proclamation and the proposed constitutional amendment to back it up. On Thursday, May 28, 1861, he had said at prayer meeting: "*The thing to be prayed for now is Emancipation*"; and on Sunday, September 7th, he had noted: "Preached in favor of emancipation of slaves. Full house — some excitement." His joy, therefore, when, on January 3, 1863, he heard of the Proclamation of Emancipation was profound. "Glorious dawn of hope for the country!", he exclaims, "more than three million people set at liberty!"

For the Congregational pastor, as for all loyal Muscatiners, the war possessed deep interest in its local aspects. Down on Muscatine Island in 1862 was encamped the Thirty-fifth Iowa Regiment of Infantry — a body of men almost entirely from Muscatine County. Twenty-three of them were from the Muscatine Congregational Church, and the colonel, Sylvester G. Hill, was closely allied to that church through the membership in it of his wife, Martha J. Hill. To this regiment Mr. Robbins was an unofficial chaplain. He ate with the men at mess; he preached to them on "The True Idea of a Soldier"; and when, in November, they left for Dixie, he gave to each of the twenty-three men from his own church a copy of the Psalms — one copy at least bearing the inscription: "He teacheth my hands to war and my fingers to fight." Nor was his chaplainship uncolored by tragedy. In June, 1864, it fell to him to preach the funeral sermon of Frederick Hill, son of Colonel S. G. Hill, killed at Yellow Bayou, Louisiana; and the same year, in December, to preach the funeral sermon of Colonel Hill himself, killed at the battle of Nashville. On the latter

occasion his diary reads: "Funeral of Colonel Hill at the church. Church crowded. Preached on the 'Breaking of a Strong Rod'."

The Muscatine soldiers were the pastor's staunch friends; still Satan, it seems, would not let them or him alone, for one evening in 1864, when he was attending a soldier's reception, "the devil", he tells us, "took advantage of things and run in a dance."

Whatever the pastor might think of women as voters, he was proud of them as workers in the Soldiers Aid Society. "Abolitionists are loyal", he wrote in 1863. "All of the women of my church are Abolitionists. They would give away their last chemise for the Union." Mr. Robbins took pride in the Muscatine soldiers and in the local women war-workers; but those in the community in whom he took the greatest pride in connection with the war were the negroes. The negro had been freed, and when, as was true in Muscatine for many years after 1865, the black citizens, on January first, marched through the streets in celebration of their freedom, they stopped in front of the Robbins dwelling on West Hill and gave three cheers. "It is a great honor", notes the pastor in 1868, "and one moving my heart. I mean to have a larger flag at the door next year."

We have now traced the course of Congregational life in Muscatine from 1843 to the end of 1865—a period of twenty-two years. Long before 1865 the Congregational Church had become firmly fixed in the community as a power to be reckoned with, and when in 1868 Alden B. Robbins completed the twenty-fifth year of his pastorate, it was voted by the church, that "the event be celebrated by appropriate social and other arrangements." Prior to 1868 annual celebrations of various kinds had been held—anniversaries of the founding of the church, and of the

pastor's birthday — the 18th of February. In 1867 the birthday occasion — the pastor's fiftieth — had been celebrated with special emphasis. The supper served, including some desperately strong coffee, was pronounced by the *Muscatine Journal* "perfectly gorgeous"; and a little speech which the pastor made in recognition of a multitude of gifts, "as classical as an essay by Macaulay." Among the gifts was a poem by Dewitt C. Richman:

Thine the firm soul — the Puritanic will —  
That bends nor swerves to right or left to court  
The wooing breeze of favor or renown.

Notable as the fiftieth birthday celebration in 1867 had been, it was felt that the twenty-fifth anniversary of the pastorate in 1868 should surpass it, and the happy idea was conceived of causing the celebration to take the form of a "pastoral silver wedding". It took place on Wednesday, November the 18th — a time of the year but little earlier than that of the landing of the Pilgrims on Plymouth Rock. "A great crowd", notes the pastor, "many charming letters and tokens of interest, among them a silver watch and chain." And, on the Sunday following, the pastor preached again the sermon he had preached on his first Sunday in Muscatine — then Bloomington — from the text: "If thou hast run with the footmen and they have wearied thee, then how canst thou contend with horses?" At this mid-period of Mr. Robbins's life — true though it was that, as the birthday poem said, "his will had bent nor swerved to court the wooing breeze of favor or renown" — honors fell thick upon him for in 1869 Amherst College, his Alma Mater, conferred on him the degree of Doctor of Divinity.

The charter members of the Muscatine Congregational Church — those signing the Articles of Faith in November, 1843 — numbered twenty-six — twelve men and fourteen women. In 1853 the membership seems to have been about

90; in 1866 it was 209; and as late even as 1883 it did not exceed 241. In 1866 the pastor in his diary says: "All — brothers and sisters too — so far as I know, are Republicans and Radicals. Temperance professedly, and most of them anti-tobacco." Still there were drawbacks. Mr. Robbins's people might be "Republicans and Radicals", but some of them *would* steal off to dances, desert prayer meeting for concerts, and — a notable few — get intoxicated. In 1851 the pastor describes Muscatine as "a sad and guilty reckless town"; nor did he speak much better of it in the sixties, for it was then distinctly pro-whiskey at municipal elections, and there were in it not a few Copperheads. It required only the coming of a theatre to bring down a genuine malediction, and in 1867 a theatre came — a lurid vaudeville, the Black Crook. "Shamefully low state of intelligence and morals indicated by the crowds going to such a theatre!", the pastor exclaims. Despite drawbacks, however, the church prospered. In 1865 the pastor's salary was increased from \$1200 to \$1300. In 1866 it was made \$1600; and in 1868, \$1800. Above \$1800 it never rose. In fact in 1874 it became fixed at \$1500. The deduction consequently is a fair one that the heyday of the church — its golden era — was from about 1853 to 1870. This is confirmed by the course of the church benevolences which for fourteen years, 1848 to 1861, maintained an average of \$1000 a year.

During the first twenty-five years of its existence the church bore on its roll many names of more than local significance. Among them, as already pointed out, were Stephen Whicher, William G. Woodward, Jacob Butler, and George W. Van Horne. The last two have been mentioned — the one as pioneer lawyer and the other as United States Consul at Marseilles — but they should be mentioned again; Butler as a financier and as speaker for one session

of the Iowa House of Representatives, and Van Horne as editor and lecturer. Then there were Dewitt C. Richman, already alluded to as poet, but deserving notice as public speaker and Judge of the Circuit Court; Henry O'Connor, major in the Union army, fiery Republican orator, and for long years solicitor of the Department of State at Washington, D. C.; Suel Foster, horticulturist of state wide prominence; and Frank L. Underwood, southwestern banker. Two other members of the church of more than local distinction there were — Finley M. Witter, educator, scientist, and convert to Darwinism when to be known as such took courage, and Mrs. Cora Chaplin Weed, musician, devotee of culture, and inspirer of youth. Sylvester G. Hill, killed in 1864 at Nashville, was a Congregationalist in all but name, and the same may be said of Thomas Hanna, lawyer and State Senator. With these two should be associated Chester Weed — after his marriage in 1873 to Miss Cora Chaplin — Muscatine's European traveller when to have traveled in Europe yet brought a measure of renown.

Deacons the church had of course: Samuel Lucas, Pliny Fay, Cornelius Cadle, and, after the removal of Mr. Fay to California in 1873, Suel Foster — each (Samuel Lucas perhaps excepted) a man with individuality enough to have been the original of the deacon immortalized by Oliver Wendell Holmes in his "Wonderful One Hoss Shay". It was Deacon Cadle, however, who most abounded in all that was deaconlike. He had dry humor (a bit broad), and discriminating appreciation of good cheer. Cornelius Cadle came to Muscatine the same year as Mr. Robbins — 1843 — and lived, he says, "next house" to him. Like Stephen Whicher, Mr. Cadle thought Muscatine destined to great things. In 1844 he described it as "in latitude 41° 20'," containing "about one thousand inhabitants", and "the most important point above St. Louis".

Mr. Cadle relished the society of the Congregational pastor, but twelve years were required to bring him into the church fold. Apropos of the smashing of a barrel of crockery shipped to him about this time from New York, we find him announcing the fact with the comment: "In the general wreck of matter I had the heartfelt satisfaction of finding a bottle of Irish whiskey". And as late as 1847 he addressed to a distant friend the query: "Don't you feel as if you would like to be in Canal Street again, with all our old companions, and a few of champagne?" But by 1848 regeneration had so far set in with him that he wrote: "I have adopted the cold water system both externally and internally and never drink any more whiskey punch. . . . A year ago I joined the Sons of Temperance and have kept remarkably sober since then."

The future deacon's taste for good things is shown by the mention which he makes of the wild game all about Muscatine. "We have no oysters", he writes in 1843, "but then we have lots of wild game which may be had without poaching. Quails sell here in winter for 25 to 27 cents a dozen, and if you think that too dear, just open your windows (those who have any) and they will fly in to you. The old settlers think when they become more civilized they will come in ready cooked". "It would make the mouths of the New Yorkers water", he repeats, "to see the quails here. . . . They walk through the town in droves of twenty to fifty . . . we have had hardly anything else to eat for a month past, and eat from ten to twelve a day. . . . Two men with a net can catch from five hundred to one thousand in half a day. They think of offering up the prayers of the church for protection against them."

As a result of so much abundance, reinforced by a disciplined taste, what more natural than that Mr. and Mrs. Cadle—Mr. Cadle had married in Muscatine in 1848—



should in 1850 begin observing Thanksgiving Day in a style which, as maintained throughout the fifties, sixties, and seventies, was the admiration and despair of all Congregational Muscatine, at least. The menu — I speak in part from personal knowledge — comprised two large turkeys — one at each end of a long table, a chicken pie, oysters — for by the fifties oysters had begun to appear west of the Mississippi — mashed potatoes, turnips, onions, cranberry tart, pickles, jellies, mince pie, pumpkin pie, and last — the masterpiece of the occasion — a real English plum pudding, made from a recipe brought by ancestral Cadles from merrie England in the eighteenth century.

In 1851 Mr. Robbins tells us that on Thanksgiving Day he dined at Mr. D. C. Cloud's; but in 1852 the record reads: "Dined at Mr. Cadle's." In 1853 it stands: "Dined at Mr. Cadle's — a great day"; and in 1854 it stands: "Dined at Mr. Cadle's." Could words say more!

The pastorate of Alden B. Robbins in Muscatine extended not to twenty-five years only, but to fifty years. So far as Muscatine Congregational life is concerned, the last half of this long period was not marked by features so distinctive as the first half. As we proceed, therefore, that life may be permitted to disclose itself as incidental to the personality of its central figure — Dr. Robbins himself.

When Mr. Robbins came to Muscatine he had just been married, and his first dwelling — the one next to Cornelius Cadle — would seem to have been on what is now Chestnut Street near the foot of the High Bridge. Soon, however, we hear of his occupying a house on what is now Mulberry Avenue, near the present United Brethren Church; and later a house on Third Street, near Sycamore, owned by George Schooley. In the Mulberry Avenue house, the pipe from the heating stove projected out of a front window;

and to this house in winter time the pastor hauled water for laundry purposes from Mad Creek on a sled. The house which Muscatine knew as his for more than forty years — that on West Hill — he built himself in 1850. His diary of February 1, 1850, records: "Hindered all day by a smokey flue in Schooley's mean house." Then, on June 17, 1850, comes, in logical sequence, the entry: "Moving from Schooley's house, opposite Baptist lot, to new and own house on hill."

In mere physique the Congregational pastor was noteworthy. His stature was five feet nine inches; he had clear blue eyes, a Roman nose, and abundant wavy, silken hair that before he was forty had turned white as snow — the most beautiful hair one ever saw. His muscular powers, too, were not to be despised. He was a strong swimmer and as such conquered the swollen Cedar River more than once. He loved a good horse, using one when necessary to carry him to the scene of wedding or funeral. How much he admired physical strength appears from a remark by him in 1890 that he recollected "a good deacon of his church [Samuel Lucas] who could not be handled physically by any man in the County." "We have no such men in the church now", he adds regretfully.

He believed in propagating the race, and disliked Tolstoy because of his theory that "no man has any right to have any descendants". It is perhaps unnecessary to say that Dr. Robbins had pride and a temper. His temper was high when roused, and he was wont to lament it as his besetting sin.

Intellectually considered this pioneer minister, this son of New England, was worthy of his origin. He loved books and he loved reading aloud. His voice was of rare quality and he read the Scriptures to perfection. Often alone in his study would he read aloud to himself some Scriptural

passage or master utterance of secular writer. In 1853, on November 30th, he notes that he read "one half of a speech by the Earl of Chatham aloud"; and one day in 1861 he notes: "Read aloud with great pleasure 'Elegy in a Country Churchyard'." In 1851 he purchased Macaulay's *History of England* and in 1868 the three volumes of Motley's *Rise of the Dutch Republic*. Fiction he largely eschewed, but *Uncle Tom's Cabin* he classed with the *Iliad* and the *Pilgrim's Progress*. *Cape Cod Folks* as yet was undreamed of. He brought to Muscatine the first copy owned in the town.

Lectures by speakers worth hearing he always attended. In 1855 he heard T. Starr King on "Substance and Show"; in 1856, Wendell Phillips on "The Lost Arts"; in 1860, Tom Marshall on "Henry Clay"; in 1864, Dr. Edward Beecher on "Owen Lovejoy"; in 1867, Theodore Tilton on "Reconstruction" — "good, sound anti-Slavery truth", he pronounced the last lecture; yet he felt regarding Tilton personally that he was "helped by greatly resembling Henry Ward Beecher, once his pastor." Wendell Phillips he heard again, in 1867, on "Street Life on the Continent"; but he was critical of his "poor pronunciation for so finished a speaker." Mr. Robbins also heard in Muscatine in these and other years: Dr. Isaac I. Hayes, the Arctic explorer; Bronson Alcott, the Concord philosopher; Elizabeth Cady Stanton, the suffragist; and Schuyler Colfax, Speaker of the national House of Representatives. John F. Dillon of Davenport, the jurist, he heard, but considered his style "sophomorical". He even lectured a few times himself — once on the "Lady of the Lake", and once on "Sir Walter Raleigh". His audience at the latter he humorously describes as "very select".

As classmates of Mr. Robbins at Amherst were two men destined to fame as pulpit orators — Frederic D. Hunting-

ton, afterwards Bishop of Central New York, and Richard S. Storrs, afterwards pastor of the Church of the Pilgrims in Brooklyn. But down to 1875 the pastor's pulpit ideal — so far as he permitted himself one — was probably Henry Ward Beecher. In 1874 came the Beecher-Tilton trial, and thereafter the pastor speaks but little of Beecher. Concerning him his diary utters the few but pregnant words (Beecher's own): "Alas! Alas! Did ever a greater ass fall into a deeper pit!" Let it be added that Dr. Robbins's own sermons, though always practically helpful, rose at times to heights of noble eloquence. One phrase flung out by him regarding the Jews rings in my mind after forty years: "their Conquerors are dead, but they live on."

Having been a radical in politics, when politics involved the issues of slavery and the Union, Dr. Robbins clung to the Republican party long after that party, as many thought, had ceased to be worthy of the confidence of the people. When after the Civil War Charles Francis Adams, Sr., left the "Grand Old Party" in disgust, the pastor denounced him from the pulpit as "a degenerate son of the Adamses". Nor was this the first of his pulpit denunciations of recalcitrant political leaders. In 1852 on the death of Daniel Webster, after that giant of New England had declared regarding slavery that the North must learn to conquer her prejudices, he had preached from the words of the eighty-second Psalm: "I have said ye are gods . . . but ye shall die like men." The most striking instance, perhaps, of Dr. Robbins's defence of the Republican party from the pulpit was in 1876 just after the presidential election, when it looked as if Samuel J. Tilden might have triumphed over Rutherford B. Hayes. A Democrat in the White House was unthinkable to him, and on Sunday, November 12th, he preached (as his diary records) "on God's deliverance of Paul and our nation by a basket". The text

is a familiar one: "Then the disciples took him [Paul] by night, and let *him* down by the wall in a basket." The Republican party, Dr. Robbins reasoned on this occasion, would win even though let down from a wall in a basket. Justice Bradley of the United States Supreme Court proved to be just the basket required to carry the party to safety.

Alden B. Robbins was a Puritan and he gloried in the fact. He consequently was narrow in a sense, but his narrowness had its redeeming features. A user of tobacco was to him in some sort a sinner, and it hurt his conscience to take his children to view the street parade of Dan Robinson's circus; but when it came to setting forth Puritan achievements in church and state he discriminated. The Puritans had hanged witches and Quakers. Privately, he probably felt that the witches and Quakers — especially the Quakers — had deserved hanging, but he meant that it should be understood that the Puritans who did the hanging were not the real Congregationalists. The latter were the Pilgrims and hailed from Plymouth, not from Boston.

On the question of the bondage of the negro and on that of the bondage of the inebriate, Dr. Robbins was broad. But, as we have seen, he was not broad on the question of the bondage of women. He did not believe in equal suffrage. "Went to hear Mrs. S. on suffrage", he notes in 1871. "Smart but sophistical. Makes the ballot to be everything when it is in many respects a humbug." And, as late as 1895, he said: "Regarding the suggestion that women vote, it might not be so great a boon as it seems to be now. Woman's greatest honor is that she gave the Saviour to the World without the intervention of man".

Dr. Robbins was a power in Muscatine — a power with all, be their church affiliations what they might. And two things made him so — his spirituality and his unquestioned sincerity. He was always handling political — and hence

burning — questions, but he had the faculty of handling them in a spiritual way. They did not drag him down, as they do many ministers: he dragged them up. In the fifties he was sometimes called “Cock Robbins” by the proslaveryites, but he was never made the target of rotten eggs or dead cats. They would as soon have thought of thus assailing the Apostle Paul himself. In 1880, when James A. Garfield won the presidency against Winfield Scott Hancock, the pastor delivered what the Democratic newspaper of Muscatine called “a Te Deum over the Republican victory”. “But”, said its editor, “Doctor Robbins long ago earned the right to the free utterance of his convictions from his pulpit, and as his political philosophy is acceptable to his Church it is not our business to find fault with it.”

On his distinctively human side, Mr. Robbins was most engaging. He had keen humor, and he enjoyed social occasions; occasions whereon, in the early days, his people remembered him with prairie chickens, quails, mallard ducks, and turkeys; and always with apples — barrels of red Jonathans or huge juicy bellflowers, of both of which he was very fond.

Like most New Englanders, he was inclined to exalt Thanksgiving at the expense of Christmas. But his Sunday School and his children saw to it between them that the balance did not go unredressed. And anyway the Thanksgiving dinners at Deacon Cadle's, followed by the inevitable Thursday evening prayer meetings, served to keep Christmas — a Catholic and Episcopal festival as he thought — in the subordinate position where it belonged. As regards the pastor's humor, it has already sufficiently colored these pages through excerpts from his diary; but he was known to give it way with entire propriety even in a funeral discourse. He preached the funeral sermon of his long-time deacon Suel Foster, and in it alluded to the sartorial idio-

synecrasy of the man as revealed in the circumstance that, no matter what suit he wore, the trousers always stopped short six inches above his shoe tops.

Music is the most human of arts, and Dr. Robbins greatly enjoyed it as rendered in hymns sung by the congregation. In the form of elaborate renditions by a choir, he distrusted it a little. That is to say, he distrusted the choir, whatever he may have thought of the music. Thus in 1868 he records: "Spoke at prayer meeting of prayer for choir. The devil (at work as usual through a choir) has stirred up trouble about something said by me." The pastor had reason to be wary of choirs, for it seems that it was through the choir that the unpleasantness began with the gentleman from Missouri in 1858. That individual was a singer — a tenor singer — and as such influential. How influential may be gathered from the notation by the pastor on January 25, 1858 — "the choir have ceased to sing." But during the time they did sing they evidently sang well, for of them Mrs. Cora Chaplin Weed, who joined the church in 1861, speaks thus: "Who will ever forget the glorious choir of the old Congregational Church? Mrs. Woodward, soprano; Mrs. James Weed, alto; Judge Woodward, bass; and G. M. — [the gentleman from Missouri], tenor. I used to close my eyes in my early childhood and imagine, as the lovely quartet sang in the high gallery, that it was very like the music heard from cloudland by the shepherds on that first Christmas morn. Many a tear have I secretly wiped away because of the heavenly melodies that floated down from the old choir; melodies repeated now, I believe, in Paradise." In Paradise it may be! Judge Woodward died in 1871, and G. M. in 1875. Concerning the latter Dr. Robbins wrote in 1875 on February 10th: "Poor G. M. — the old church member and enemy of mine and the church — died at Memphis and was buried here today." May it not

have been on account of his angel tenor voice that the sisters of the Congregational Church saved the gentleman from Missouri from excommunication in 1858?

Finally, concerning Alden B. Robbins let it be recorded — and most fittingly so in these days of world-upheaval — that ever and always he was a sturdy patriot. No pacifist he! Not for nothing did his eyes first greet the light in the Old Bay State — the State of the Winthrops, of John Quincy Adams, of Wendell Phillips, and of Charles Sumner. “Can’t whip the South!” he demanded in 1863. “Seven hundred men whipped five thousand at Donelson; eight hundred men and two cannon, under Iowan, [Fitz Henry] Warren, repulsed six thousand and five cannon! Since January first, Texas cavalry at Corinth only saved the South!” Nor did his patriotism ever wane. In 1868 he apologized in his diary for not having a larger flag out when the negroes cheered his home as they marched past it, and he promised himself to make amends the next year. In 1876 he bought a flag “six feet long”, and on January 1, 1877, he noted: “Put out flag for the Emancipation celebration and was cheered by the poor colored band at door.” As late as 1890, at an old settlers’ celebration, he punctuated an address he was making by drawing forth a silk flag and unfolding it.

In 1891 Dr. Robbins, after forty-eight years of faithful service for “God and Native Land” in Muscatine, resigned the pastorate of the Congregational Church. He was at once made pastor emeritus and held the position till his death on December 27, 1896. His first wife, Miss Eliza C. Hough of Canterbury, Connecticut, had died of cholera in Muscatine in July, 1850. His second wife, Miss Mary Sewall Arnold, of Monmouth, Maine, whom he had married in September, 1851, had died in Muscatine in June, 1894.



Muscatine — the Muscatine of the early French explorers and of Zebulon M. Pike of 1805 — is able to point in its Anglo-Saxon period to some striking personalities. Among them two stand preëminent — Dr. Alden B. Robbins and Father Pierre Laurent — the Puritan and the Priest: one from Salem, Massachusetts; the other from Dijon, France. Each was planted firmly upon a rock: the one upon Plymouth Rock, and the other upon the Rock of St. Peter. Both spent in Muscatine, in charge of their respective flocks, their entire working lives — periods of slightly more than fifty years. They never drew very near together — this Puritan and this Priest — but each in a way respected and admired the other. Both possessed superior education; both were by nature markedly social; both did their duty unflinchingly as they saw it. Said Father Laurent one day to a member of Dr. Robbins's church who was angling for his opinion as to whether Protestants could hope to enter the Kingdom of God, "*Ma Chère Madame*" — the Father liked to revert to his native French tongue — "*Ma Chère Madame* — you will all be saved if for no other reason because of your invincible ignorance." Would Dr. Robbins, if questioned, have returned with respect to his Catholic fellow mortals an answer equally hopeful?

I was ever a fighter, so — one fight more,  
The best and the last!

IRVING B. RICHMAN

MUSCATINE IOWA

## THE ECONOMIC BASIS OF THE POPULIST MOVEMENT IN IOWA

The Populist movement, like earlier and later agrarian movements, was vitally concerned with three problems — credit, transportation, and markets and prices. The agricultural State of Iowa offers a good field in which to observe the attempts to work out these problems of national and international importance.

The economic situation in Iowa during the period of the Populist movement presents an interesting combination of dissatisfaction and inherent soundness. Conditions in Iowa<sup>1</sup> were less favorable to a pronounced Populism than in Kansas, Nebraska, and South Dakota, though Iowa was by no means untouched by the movement. Its forerunner, the Farmers' Alliance, however, which flourished from about 1885 to 1895, "never swept the state as had the Grange."<sup>2</sup> The various numbers of the *Iowa Official Register*<sup>3</sup> show that in the election returns the appreciable votes for the People's party came chiefly from the newer sections of the State, the party even securing pluralities in Monona County on the western border. But Populism — or the agrarian accompaniments of Populism — exerted an influence and attracted an attention in the two old parties of Iowa greater than was indicated by the numerical strength of the third party itself. There was an economic

<sup>1</sup> Haynes's *Third Party Movements Since the Civil War with Special Reference to Iowa*, p. 304. Mr. Haynes might have added Minnesota, which showed a Populist vote of 87,931 in 1894, more than twice the largest vote ever cast for an independent Populist ticket in Iowa.

<sup>2</sup> Nourse's *Fifty Years of Farmers' Elevators in Iowa* (*Bulletin of the Agricultural Experiment Station, Iowa State College of Agriculture and Mechanic Arts*, No. 211, March, 1923), p. 242.

<sup>3</sup> *Iowa Official Register*, 1893-1896, showing returns for the years 1892-1895.

basis for the character, extent, and limitation of the movement.

The population of Iowa in 1890 was 1,911,896, as compared with 1,624,615 in 1880, an increase of 17.68 per cent, as compared with the 36.06 per cent increase for the previous decade and the 76.91 per cent increase for the period from 1860 to 1870. It was less than the percentage of increase from 1880 to 1890 in Minnesota, Nebraska, and Kansas, which were, respectively, 66.74, 134.06, and 43.27 per cent. Iowa's urban population was 14.08 per cent of the total in 1890, as compared with 9.39 per cent in 1880. The important gains in population were in the western and northwestern counties. Lyon County, in the northwest corner, increased from 1968 to 8680, and Woodbury, bordering Nebraska, increased from 14,996 to 55,632. On the other hand, twenty-seven counties lying in or near the eastern half of the State showed a decrease in population between 1880 and 1890. In about 43.26 per cent of the area of the State there was a decrease in rural population for the period, while the total increase of this group for the State as a whole was 121,709. In the percentage of area showing a decrease of rural population, Iowa led all of the trans-Mississippi States except Nevada.<sup>4</sup> Additional evidence that Iowa as a whole was getting away from frontier conditions is indicated by the low acreage of original homestead entries. For the year ending on June 30, 1890, this was only 1153 acres for Iowa, while for Kansas and Minnesota it was 222,649 and 175,697 acres respectively.<sup>5</sup> A writer in the *Political Science Quarterly*<sup>6</sup> in 1889 classed

<sup>4</sup> See *Eleventh Census of the United States* (Population), 1890, for these statistics.

<sup>5</sup> *Statistical Abstract of the United States*, 1891, p. 242.

<sup>6</sup> Mappin's *Farm Mortgages and the Small Farmer* in the *Political Science Quarterly*, Vol. IV (September, 1889), p. 436. The State was still receiving

Iowa as a border State between the old and the new West, placing eastern Iowa in the old and western Iowa in the new.

In this period of unrest, partly attributed at the time to the readjustment of agricultural conditions to the disappearance of the frontier,<sup>7</sup> the dictum that "the old pioneer farmer has found the play played out"<sup>8</sup> could be applied to Iowa. The time has gone by when farming can be done by "pure strength and awkwardness", declared an Iowa agricultural paper,<sup>9</sup> which at the same time pointed to the danger of capitalistic control of a large percentage of the farms of the country.

Of Iowa's total farm acreage in 1890, only 16.6 per cent was listed as unimproved.<sup>10</sup> The value of the farm lands, fences, and buildings of the State in 1890 was listed at \$857,581,022, more than 50 per cent above the value ten years earlier. At the latter date Iowa, with a valuation of \$136,665,315, was third in the Union in value of farm implements and machinery, being surpassed only by New York and Pennsylvania.<sup>11</sup> The tendency away from pioneer farming was hastened by the construction of railroads in all parts of the State. The railroad mileage in 1890 was

homeseekers from east of the Mississippi, while furnishing some emigration to regions farther west. James Wilson noted with regret "the sale of Iowa homes by the pioneers who made them".—*Iowa Agricultural Report*, 1892, p. 16; *Cherokee Weekly Times*, April 20, 1893; *Iowa State Register* (Des Moines), April 19, 1893.

<sup>7</sup> Wiman's *The Farmer on Top* in *The North American Review*, Vol. CLIII (July, 1891), pp. 14, 15.

<sup>8</sup> Harris's *What the Government Is Doing for the Farmer in The Century Magazine* (New Series), Vol. XXII, p. 465. This article deals with changes taking place in agricultural conditions—changes from land skimming to land culture.

<sup>9</sup> *The Iowa Homestead* (Des Moines), November 30, 1894.

<sup>10</sup> *Abstract of the Eleventh Census of the United States: 1890*, p. 95

<sup>11</sup> *Abstract of the Eleventh Census of the United States: 1890*, pp. 99–101

8602, more than 60 per cent increase over that of 1880.<sup>12</sup> Governor Francis M. Drake, speaking of conditions at this time said, "There is not a county in the state without railroad facilities."<sup>13</sup>

Iowa had become a land of farms and farmers. According to the Federal census of 1890,<sup>14</sup> there were 205,435 farm families in Iowa, while the average number of employees in manufacturing establishments was slightly under 60,000 and the number of railway employees was under 28,000.<sup>15</sup> Tenant families constituted 29.57 per cent of the farm families, as compared with 34.08 per cent for the United States as a whole. It was said, however, "that more farms in Illinois, Iowa and Wisconsin have been deserted by their owners than have been in New Hampshire, Vermont and Massachusetts."<sup>16</sup>

There had been a great expansion in agriculture in Iowa between 1860 and 1880 with emphasis on a few leading grains, in spite of warnings and exhortations toward diversification of crops.<sup>17</sup> During this period Iowa's production of corn and wheat almost doubled. There was, however, a change in the decade following 1880, particularly with reference to wheat, for which estimates placed the acreage at 3,049,288 and the production at 31,154,205 bushels in 1879,

<sup>12</sup> *Abstract of the Eleventh Census of the United States: 1890*, p. 172.

<sup>13</sup> Shambaugh's *The Messages and Proclamations of the Governors of Iowa*, Vol. VII, p. 110.

<sup>14</sup> *Eleventh Census of the United States (Farms and Homes)*, 1890, pp. 35-42.

<sup>15</sup> Before 1890 the membership of the Knights of Labor in the State reached 25,000.—Downey's *History of Labor Legislation in Iowa*, pp. 3, 4; *Abstract of the Eleventh Census of the United States: 1890*, p. 141.

<sup>16</sup> *Eleventh Census of the United States (Farms and Homes)*, 1890, pp. 33, 35; *Iowa Agricultural Report*, 1891, p. 10.

<sup>17</sup> Ruggles's *The Economic Basis of the Greenback Movement in Iowa and Wisconsin in the Proceedings of the Mississippi Valley Historical Association*, Vol. VI, p. 143.

but showed only 585,548 acres and 8,249,786 bushels in 1889.<sup>18</sup> Estimates for the corn crop showed 6,616,144 acres and 275,014,247 bushels in 1879 with 7,585,522 acres and 313,130,782 bushels in 1889, Iowa being the first State in production of this cereal in the latter year.<sup>19</sup> The total value of agricultural products for 1890, excluding live stock but including dairy products and poultry, was estimated at \$258,677,315.<sup>20</sup> During this period there was a good increase in the number of horses, milch cows, and cattle, the figure for cattle in 1890 surpassing three million — nearly twice that of 1880. The hog had followed corn in the westward movement, and the leading corn State was the leading hog State in 1890, with the number of hogs estimated at 8,266,779.<sup>21</sup>

The development in Iowa and the West was accompanied by an increase in mortgages. Within a brief period, said a writer in 1890, "an unusual amount of capital has been devoted — not directly but indirectly, by way of mortgage loans — to the development of a vast area of agricultural country."<sup>22</sup> Half a million mortgages on real estate were placed in Iowa during the ten years ending with 1889 for an amount, in round numbers, of \$440,000,000.<sup>23</sup> The real estate mortgage debt for Iowa in 1890 was estimated to be \$199,774,171, including \$50,317,027 on town lots. This total

<sup>18</sup> *Abstract of the Eleventh Census of the United States: 1890*, pp. 118, 119.  
"Iowa, after devoting 400,000 new acres to the production of hay [between 1879 and 1889] drew upon the wheat fields for 2,363,000 acres to add to the meadows, while 2,244,000 other new acres were added to the oat-bearing lands."  
— *The Country Gentleman* quoted by *The Iowa Homestead* (Des Moines), June 1, 1894.

<sup>19</sup> *Abstract of the Eleventh Census of the United States: 1890*, pp. 118, 119.

<sup>20</sup> *Iowa Agricultural Report*, 1890, p. 80.

<sup>21</sup> *Abstract of the Eleventh Census of the United States: 1890*, p. 105.

<sup>22</sup> Glead's *Western Mortgages* in *The Forum*, Vol. IX, p. 105.

<sup>23</sup> *Eleventh Census of the United States* (Real Estate Mortgage), 1890, p. 174.

was more than a fifth of the estimated value of the farm lands, fences, and buildings. The total incumbrance on farms occupied by owners was \$101,745,924 — an amount exceeded only by New York, with Illinois coming third. Of this debt on farms occupied by owners in Iowa, 69.49 per cent was for the purchase of real estate. The total of this incumbrance was estimated at 33.29 per cent of the value of the farms, the average debt per farm being \$1319. It was estimated that 47 per cent of the taxed land in the State in 1890 was under mortgage.

The total annual interest on incumbrances on farms occupied by owners in 1890 was estimated at \$7,491,665, the interest charge falling on 37.53 per cent of the farm families of the State.<sup>24</sup> "In Iowa", it was reported, "the rate of 8 per cent is the most prevalent one, but 7 per cent is of large secondary importance, and 6 per cent third in order, while 80 per cent is the highest rate, and is paid by one family on \$2,300."<sup>25</sup> It was said that in eastern Iowa the debt situation was improving and that interest rates were growing less: a Davis County firm in 1888 claimed a record of a hundred thousand dollars per year without a single foreclosure in several years.<sup>26</sup> In Jefferson County, which lost over two thousand in population between 1880 and 1890, "there was not a single sale of real estate by the sheriff during the year" of 1890.<sup>27</sup> *The Iowa Homestead* and the *Iowa State Register* maintained that the reports of the mortgage evil were exaggerated. A student of the situ-

<sup>24</sup> For these incumbrance statistics see *Eleventh Census of the United States* (Farms and Homes), 1890, pp. 35, 59, 83, 150, also diagram 9; Emerick's *An Analysis of Agricultural Discontent in the United States* in the *Political Science Quarterly*, Vol. XI, p. 603.

<sup>25</sup> *Eleventh Census of the United States* (Farms and Homes), 1890, p. 104.

<sup>26</sup> *The Iowa Homestead* (Des Moines), December 28, 1888.

<sup>27</sup> *Iowa Agricultural Report*, 1890, p. 7.

ation in 1896 believed that in States like Iowa and Missouri mortgage foreclosures had not been unusually frequent.<sup>28</sup>

Yet there were evidences of the burden of mortgages in Iowa. An observer at Geneva, in the north central part of the State, said in 1888 that there were mortgages in his county amounting to some half a million dollars, chiefly with rates that would compel farmers to sell out or be eaten out by the mortgages.<sup>29</sup> It was said that "companies located at St. Paul, Omaha, Des Moines, Kansas City, St. Joseph, Topeka, Denver or Dallas, sometimes received as high as fifteen-per-cent commission on a five-year loan, and for many years the home company never received less than ten per cent. The local agent exacted all that he could above this amount."<sup>30</sup> A substantial increase in the amount of real estate mortgages between 1880 and 1889 was particularly characteristic of northwestern Iowa. Lyon County, in the northwest corner, showed an increase from \$84,671 to \$709,959. The only counties<sup>31</sup> in the State showing less

<sup>28</sup> Emerick's *An Analysis of Agricultural Discontent in the United States in the Political Science Quarterly*, Vol. XI, p. 610. In 1894 the *Financial World* (Boston) pointed out that losses of eastern money in western mortgages were due to investments in States west of Iowa.—*The Iowa Homestead* (Des Moines), August 10, 1894.

<sup>29</sup> *The Iowa Homestead* (Des Moines), January 27, 1888.

<sup>30</sup> Glead's *Western Mortgages in The Forum*, Vol. IX, pp. 95, 96. In connection with eastern investments in western loans, it was stated in 1889 that Philadelphia alone negotiated annually more than \$15,000,000 of western loans. "In some way, the capital of the United States has been aggregated . . . in certain sections, and by its usufructuary power is drawing to the same sections the profits of the labor of other sections." Tribute from western farmers to the money lenders of the East was mentioned as a source of western poverty.—Mappin's *Farm Mortgages and the Small Farmer in the Political Science Quarterly*, Vol. IV, pp. 435-439; Dunn's *The Mortgage Evil in the Political Science Quarterly*, Vol. V, p. 82; Gladden's *The Embattled Farmers in The Forum*, Vol. X, p. 317.

<sup>31</sup> *Eleventh Census of the United States* (Real Estate Mortgages), 1890, pp. 431-436. Woodbury County, though showing a greater amount on lots than on acres, showed more than \$1,000,000 on acres.



than half a million dollars in mortgages for 1880 and more than a million for 1889 were Plymouth, Sioux, and Woodbury, all in the northwest.

The real estate mortgages brought a demand from the farmers for the revision of taxation. "Farmers represent but one-fourth of the nation's wealth and they pay three-fourth of the taxes", exclaimed the *Farmers' Tribune*, a Weaver organ.<sup>32</sup> The attempt was made to shift some of the taxation from mortgaged property to mortgages. The Iowa Farmers' Alliance advocated such a revision, and the State secretary of the Alliance served on a committee created by the legislature of 1892 to investigate the system of taxation and report to the subsequent legislature.<sup>33</sup> But in the next legislature, as in previous ones, the endeavor to shift taxation from mortgaged farms to mortgages failed. The *Homestead* attributed the defeat of tax revision to a lobby of the railroads, loan and trust companies, and kindred interests.<sup>34</sup> The Populist State platforms condemned the legislature for rejecting taxation revision and denounced the "method of assessment whereby the debtor is made to pay the full tax on mortgaged property".<sup>35</sup>

There were economic grievances too in regard to the railroad question. "There are counties in Iowa and other Western States", wrote Frank B. Tracy in 1893, "struggling under heavy loads of bond-taxes, levied twenty-five years ago, to aid railways, of which not one foot has been built."<sup>36</sup> Governor Larrabee, in his inaugural message of

<sup>32</sup> *Farmers' Tribune* (Des Moines), April 12, 1893.

<sup>33</sup> *The Iowa Homestead* (Des Moines), February 3, 17, 1893; *Public Opinion*, November 7, 1891.

<sup>34</sup> *The Iowa Homestead* (Des Moines), March 30, 1894.

<sup>35</sup> *Iowa Official Register*, 1892 (Second Edition), p. 172, 1894, p. 107.

<sup>36</sup> Tracy's *Rise and Doom of the Populist Party in The Forum*, Vol. XVI, p. 242.

1888 and in other utterances, maintained that the railroads of Iowa had received \$50,000,000 in public donations and exemptions; that the tracts of lands granted them in various ways amounted to more than one-eighth of the area of the State; that the State had not "derived that benefit from the large land grants made to railroads which her people had a right to expect"; and that the railroads schemed to use one valuation for income and another for taxation.<sup>37</sup> Increased taxation of the railroads was one of the demands of the People's party of the State.<sup>38</sup>

More important, however, than taxation of railroads was the problem, or burden, of railroad rates, particularly freight rates. This problem, like that of mortgages, was intensified by declining prices of agricultural products. As one of the leading Grange States, Iowa in 1874 secured a railroad act which has been pronounced "perhaps the best example of an attempt to establish a fixed schedule of maximum rates". This was accepted for some years and led to improved relations between railroads and the public.<sup>39</sup> With the decline of the Grange and with skillful propagandist activity on the part of railroads,<sup>40</sup> the freight sections of the law of 1874 were repealed in 1878, and an advisory — or investigative — and appointive commission was created. In ten years the pendulum was to swing back toward more rigid control of railroads, including a demand for interstate regulation.<sup>41</sup>

<sup>37</sup> Larrabee's *The Railroad Question* (Eleventh Edition), pp. 328, 329; *The Iowa Homestead* (Des Moines), February 24, 1888; Gue's *History of Iowa*, Vol. III, pp. 142, 143.

<sup>38</sup> *Iowa Official Register*, 1892 (Second Edition), p. 172.

<sup>39</sup> Buck's *The Granger Movement*, pp. 166-178.

<sup>40</sup> Aldrich's *The Repeal of the Granger Law in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. III, pp. 256-270.

<sup>41</sup> *Appleton's Annual Cyclopaedia*, Vol. XI (1886), pp. 331, 332; *Iowa State Register* (Des Moines Morning Edition), January 19, 1887; *The Iowa Homestead* (Des Moines), October 12, 1894; *Laws of Iowa*, 1878, Ch. 77.

It was hard to convince the average farmer of the fairness of a policy that compelled him to give one ear of corn to pay for the transportation of another to Chicago, declared the Iowa Board of Railroad Commissioners in 1886,<sup>42</sup> with the following comment: "There is a great deal of *general* complaint because railways do charge from \$60 to \$80 from Western Iowa, when it is understood that cars from points still farther west are taken right by their doors to some eastern point for considerably less". Iowa "is paying too large a freight bill", said the *Iowa State Register*.<sup>43</sup> Governor William Larrabee asserted that the net income of the railroads in Iowa for 1887 — \$13,000,000 — was too much of a burden, especially in view of the drouth: it was one-third of the corn crop, three million dollars more than the whole wheat crop, or one-sixth of the total value of the cattle of the State.<sup>44</sup> Other than agricultural interests were feeling aggrieved in 1887, and there was a demand on the part of manufacturers and business men that the railroads "must make a car-load rate to apply to all the manufacturers and jobbers in Iowa, and to grain and stock in car lots, or get ready for such a fight as they have never had on the prairies between the Mississippi and Missouri rivers before."<sup>45</sup>

The Republican State platform in 1887 contained a long plank supporting State regulation of railroads and favoring a stronger interstate commerce law. The legislature was asked to abolish free passes and to increase the efficiency of the railway commission law with a view to the reduction of

<sup>42</sup> *Annual Report of the Board of Railroad Commissioners of Iowa*, 1886, pp. 52, 53.

<sup>43</sup> *Iowa State Register* (Des Moines, Morning Edition), August 24, 1887.

<sup>44</sup> Statement before the railroad committee of the State Senate.— *The Iowa Homestead* (Des Moines), February 24, 1888.

<sup>45</sup> *Iowa State Register* (Des Moines, Morning Edition), April 24, 1887.

freight charges and passenger fares. The platform also criticized discrimination on the part of the railroads between persons and between places. This was considered an "anti-monopoly" plank.<sup>46</sup> The Democratic party also advocated State control of railroads and the election of 1887 "resulted in an even more complete defeat of the railroad forces than had been generally anticipated."<sup>47</sup> With Governor Larrabee and a sympathetic "anti-monopoly" legislature in control in 1888<sup>48</sup> the way was open for reform and permanent legislation was adopted.

The law of 1888 provided for an elective railroad commission with power to carry on extensive investigations, to make for each road in the State "a schedule of reasonable maximum rates" for freight and cars, to make freight classifications, and to prosecute for extortion for which penalties were provided. Commission rates were to be held *prima facie* reasonable and commission findings were to be held *prima facie* evidence before the courts. Freight pools were forbidden, and no preference was to be granted to shippers, localities, or kinds of traffic, aside from time priority to live stock.<sup>49</sup> Proposals for statutory maximum rates, however, were defeated; and the regulation of express companies and the abolition of free passes were left for consideration by later sessions. Commission regulation of joint rates was provided for in 1890.<sup>50</sup>

<sup>46</sup> *Iowa State Register* (Des Moines, Morning Edition), August 25, 1887.

<sup>47</sup> Larrabee's *The Railroad Question* (Eleventh Edition), p. 339.

<sup>48</sup> *The Iowa Homestead* (Des Moines), January 6, 1888. In this issue it was stated that the people were asking the railroads "to take their heavy hand off the manufacturing and wholesale interests by giving as reasonable local rates as under competition they give to inter-state points. They ask them to give local rates that will enable the farmers of one county to feed corn raised in another without paying practically the same rate that is paid to Chicago". Lower local rates on coal were also demanded.

<sup>49</sup> *Laws of Iowa*, 1888, Ch. 28.

<sup>50</sup> *Laws of Iowa*, 1890, Ch. 17.

In spite of obstructions and injunctions brought about by the railroads, the freight rates under the new commission system went into effect in February of 1889.<sup>51</sup> Railroad officials testified that the result was a reduction of about twenty-six per cent on local rates;<sup>52</sup> yet Governor Larrabee said these "rates were not as low as the special rates that had at various times been granted to favorite shippers, but were a fair average of the various rates in vogue at the time."<sup>53</sup> Supporters of the new system pointed to the increased earnings of the railroads and to the benefits to farmers, merchants, manufacturers, and mining interests of the State. The platforms of both parties continued to support State control of railroads; and the *Homestead*<sup>54</sup> recommended the Iowa system of regulation as a solution for the local rate troubles in Kansas and Nebraska. There were, nevertheless, criticisms by shipping interests of certain applications of the system, and the *Farmers' Tribune*<sup>55</sup> continued to assert that the Iowa public was contributing too much to the support of the railroads of the State. It was claimed that the opposition of the railroad interests to this law of 1888, linked with antagonism to prohibition, contributed to the defeat of the Republicans by the Democrats in 1889 and 1891.<sup>56</sup> The State Board of Railroad Commissioners,<sup>57</sup> however, gave high praise to the regulatory system after it had been given a trial.

<sup>51</sup> Larrabee's *The Railroad Question* (Eleventh Edition), pp. 343, 344; *The Iowa Homestead* (Des Moines), May 18, 1888; *Annual Report of the Board of Railroad Commissioners of Iowa*, 1891, p. 9.

<sup>52</sup> *Annual Report of the Board of Railroad Commissioners of Iowa*, 1891, p. 9.

<sup>53</sup> Larrabee's *The Railroad Question* (Eleventh Edition), p. 343.

<sup>54</sup> *The Iowa Homestead* (Des Moines), March 31, 1893.

<sup>55</sup> *Farmers' Tribune* (Des Moines), November 29, 1893.

<sup>56</sup> Irwin's *Is Iowa a Doubtful State?* in *The Forum*, Vol. XIII, pp. 257-264.

<sup>57</sup> "There have been no rate wars . . . in Iowa the past two years

Those who preached or believed the doctrine that the railroads were solely responsible for low prices of agricultural products and that railroad domination and favoritism offered ample explanation for "the hitherto unexplained phenomena of hard times"<sup>58</sup> were, however, inevitably disappointed and additional reasons had to be sought. Middlemen and combinations — or "trusts" — depressed prices of agricultural products and held up prices of finished products. Conflict between the farmers and a barbed wire syndicate had contributed to the formation of a State Farmers' Alliance in 1881.<sup>59</sup> In the late 70's and the 80's Iowa experienced a growth of line elevator companies, which formed a strong alliance with the railroads and opposed the independent and the farmers' elevators.<sup>60</sup> The legislature of 1888 adopted an anti-trust law against organizations or combinations for fixing "the price of oil, lumber, coal, grain, flour, provisions or any other commod-

. . . . while rate-cutting has been in vogue in the states around us and the troubled waves have surged up against our very borders . . . . Iowa has been free from their . . . . influences, and with the curtailing of rebates, secret rates, free passes and other special privileges which the few formerly enjoyed at the expense of the many, there has followed steady rates and increased revenues — more than sufficient to make up for any deficiency caused by reduction in local rates.'—*Annual Report of the Board of Railroad Commissioners of Iowa*, 1891, p. 16.

<sup>58</sup> Assumption by W. E. Miller in *The Iowa Homestead* (Des Moines), March 30, 1888. See also *The Forum*, Vol. XIII, p. 260.

<sup>59</sup> Haynes's *Third Party Movements Since the Civil War with Special Reference to Iowa*, p. 311; Gue's *History of Iowa*, Vol. III, pp. 103-107.

<sup>60</sup> Nourse's *Fifty Years of Farmers' Elevators in Iowa* (*Bulletin of the Agricultural Experiment Station, Iowa State College of Agriculture and Mechanic Arts*, No. 211, March, 1923), pp. 242, 246. Professor Nourse observes that line elevator systems were also in league with coal, lumber, and farm implement interests, and that these farmer elevator companies in the late 80's and early 90's came into being to combat an organization already possessing the field, a task not confronted by the farmers' elevators of the Granger period. The farmers' elevators of the later, or, second, period were most prominent in the north central and northwestern parts of the State.

ity".<sup>61</sup> The "beef trust" was denounced by the press and accused of depressing the price of cattle, holding up the price of beef, and being behind railway rate discrimination. It was "the most menacing as well as the most gigantic" of "about 400 trusts in existence".<sup>62</sup> The panic of 1893, observed the *Homestead*, emphasized the cost of the middlemen. "Hitherto the products of western farmers have been compelled to run the gauntlet of a long line of middlemen, which began at the nearest railway station, ran through Chicago, New York, Liverpool, and ending with the small retailers in Europe".<sup>63</sup> A demand arose for the regulation of warehouses, weighing and grading, regulation to check dishonest commission men, and legislation against option gambling in agricultural products.<sup>64</sup>

Another explanation given for the hard times was the injury to the farmers' market through the scientific development of substitutes for agricultural products. "The advent of bogus butter cut the value of dairy stock right in two by the middle", said the State Board of Railroad Commissioners in 1886.<sup>65</sup> Legislation was sought "in behalf of pure lard", and a statement in a "down-east" paper that a chemist was claiming meat would some time be made arti-

<sup>61</sup> *Laws of Iowa*, 1888, Ch. 84.

<sup>62</sup> *The Iowa Homestead* (Des Moines), May 25, 1888, March 15, 1889; *Council Bluffs Weekly Globe*, January 31, February 7, 21, 1896; *Iowa Agricultural Report*, 1895, pp. 73, 74.

<sup>63</sup> *The Iowa Homestead* (Des Moines), September 22, 1893.

<sup>64</sup> *The Iowa Homestead* (Des Moines), September 22, 1893, October 18, 1895, August 14, 1896. "Unless checked by state and national legislation, the millers' association will soon dictate to the farmer the price of his grain and to the consumer the price of his bread stuff as absolutely as the whisky trust controls the price of their goods."—B. F. Clayton in *The Iowa Agricultural Report*, 1895, p. 74.

<sup>65</sup> *Annual Report of the Board of Railroad Commissioners of Iowa*, 1886, p. 53. To protect the market for pure butter, it was proposed in the State legislature that oleomargarine be colored pink.—*The Iowa Homestead* (Des Moines), March 30, 1894.

ficially led the *Homestead* to assert "that chemistry has done comparatively little except to teach how to defraud." Sheep-raising, it was claimed, was made unprofitable by the increase in the plants and output of "shoddy mills".<sup>66</sup>

There was some recognition of the competition facing the Iowa farmer. "In the markets of the world", said Governor Jackson in his inaugural address in 1894, "cheap beef from the vast herds of Mexico, and mutton from the plains of Australia can be sold at a profit to its owners at a price far less than it costs to produce them on the farms of Iowa. In the world's market the wheat fields of Manitoba and India . . . can monopolize and supply the demand in competition with the products of the American farm." In addition to noting increasing competition of grains or animals from India, Russia, Australia, and Argentina in the European markets, the *Homestead* gave emphasis to the competition of western American range cattle. "Cattle growers in the Mississippi and the Missouri valleys", said one writer, "cannot afford to grow beef in competition with the ranges . . . we must . . . produce something better with which mere rangers cannot compete."<sup>67</sup> With better farming and higher grade animals Iowa was facing what was diagnosed as "the tendency to overproduction of staples".<sup>68</sup>

Of course, the Populists and other dissenters pointed to the declining prices of agricultural products. The price of corn per bushel in Iowa for the ten years beginning with 1880 was as follows: twenty-six cents in 1880, forty-four cents in 1881, thirty-eight cents in 1882, thirty-two cents in

<sup>66</sup> *The Iowa Homestead* (Des Moines), December 7, 1894, January 7, August 28, 1896.

<sup>67</sup> *The Iowa Homestead* (Des Moines), September 28, 1894; Shambaugh's *Messages and Proclamations of the Governors of Iowa*, Vol. VII, p. 11.

<sup>68</sup> Phrase in the *Report of the Secretary of Agriculture of the United States*, 1889, p. 201.



1883, twenty-three cents in 1884, twenty-four cents in 1885, thirty cents in 1886, thirty-five cents in 1887, twenty-four cents in 1888, and nineteen cents in 1889.<sup>69</sup> For the next five years the price of corn per bushel on the farms in Iowa on December first ranged as follows: forty-one cents in 1890, thirty cents in 1891, thirty-two cents in 1892, twenty-seven cents in 1893, and forty-five cents in 1894.<sup>70</sup> The *Iowa Agricultural Report* for 1890 stated with reference to corn that "Iowa had an enormous overproduction and the sensible question was propounded, 'Why not have a cheap and suitable stove that corn may be used for fuel?'"<sup>71</sup>

The average price of wheat per bushel in Iowa for the decade beginning with 1880 was as follows: eighty-two cents in 1880, one dollar and six cents in 1881, seventy cents in 1882, eighty cents in 1883, fifty-five cents in 1884, sixty-seven cents in 1885, sixty cents in 1886, sixty-one cents in 1887, eighty-five cents in 1888, and sixty-three cents in 1889.<sup>72</sup> Farm prices of wheat per bushel in Iowa on December first for the next five years were as follows: eighty cents in 1890, eighty-one cents in 1891, sixty cents in 1892, forty-nine cents in 1893, and fifty cents in 1894.<sup>73</sup>

While corn and wheat prices in 1890 were relatively favorable "hogs sold at lower prices at Chicago, December 20th, than at any time since September 1879, and lower than they have ever sold in comparison with the price of corn".<sup>74</sup> More than thirty per cent decline in the market prices of cattle was reported for the period between 1885 and 1890.<sup>75</sup>

<sup>69</sup> *Report of the Secretary of Agriculture of the United States*, 1889, p. 261.

<sup>70</sup> *Yearbook of the United States Department of Agriculture*, 1894, p. 545.

<sup>71</sup> *Iowa Agricultural Report*, 1890, p. 50.

<sup>72</sup> *Report of the Secretary of Agriculture of the United States*, 1889, pp. 262, 263.

<sup>73</sup> *Yearbook of the United States Department of Agriculture*, 1894, p. 545.

<sup>74</sup> *Iowa Agricultural Report*, 1890, p. 41.

<sup>75</sup> Ashby's *Riddle of the Sphinx* (Des Moines, 1890), p. 62, with quotation from the report of an investigating committee of the United States Senate.

Because of low prices of agricultural products and the relatively high wages, many farmers reported employment of labor at a loss in the latter half of the eighties; and it was asserted that farmers would have withdrawn their capital if they could have profitably done so.<sup>76</sup> But the farmer, though he might cease to be a large employer of labor, was "obliged to be an employer of labor whether it paid or not."<sup>77</sup>

Price quotations were hurled at each other by the advocates and opponents of the protective tariff policy. If the Democratic press blamed the unfavorable trade balance of 1893 on "McKinleyism", and Governor Horace Boies claimed that the reduction of protection would raise the price of American agricultural products; on the other side was the pronouncement that the "whole cause of the present alarming business condition is the general fear that the Democratic congress and administration will repeal the protective features of the McKinley tariff".<sup>78</sup> It was charged by a speaker in the State Agricultural Society that permission of free importation of Mexican cattle was due to the influence of "the great labor unions of the east".<sup>79</sup>

An explanation for the declining prices of agricultural products emphasized by some groups was the "gold maniac squeeze". This was stressed by J. B. Weaver and the Populists, as well as by other elements. Two "radical free silver men" were among the unusually large number of

<sup>76</sup> Governor Horace Boies quoted by the *Sanborn Pioneer*, February 12, 1891. In this New York speech—a criticism of the tariff—Governor Boies used information from the State Bureau of Labor Statistics. This information was severely criticized by Republican papers, particularly the portion indicating corn production at a loss. For the data see the *Biennial Report of the Bureau of Labor Statistics for the State of Iowa*, 1890-1891, pp. 14, 15, 97-171.

<sup>77</sup> *The Iowa Homestead* (Des Moines), January 5, 1894.

<sup>78</sup> *Iowa State Register* (Des Moines, Morning Edition), July 9, 1893. See also the *Cherokee Weekly Times*, July 27, 1893.

<sup>79</sup> *Iowa Agricultural Report*, 1895, p. 75.

Democratic representatives elected to Congress in 1890.<sup>80</sup> In the midst of the panic of 1893, the *Farmers' Tribune* and the *Dubuque Telegraph*, a Democratic paper, published tables to show that the horses, mules, milch cows, oxen, and sheep on Iowa farms in 1893 were worth \$45,265,010 less than they would have been worth in 1873, and attributed the decline to the "gold maniacs". In these comparisons, it was admitted that the Iowa hogs in 1893 were worth \$16,625,550 more than the same number would have been worth in 1873, but it was claimed there was a relative loss even on hogs through prevention of a greater rise in prices.<sup>81</sup> The *Farmers' Tribune* refrained from discussion of the tariff on the plea that such talk "would be only playing into the hands of the gold bugs, who use the tariff to divert the people from the need of financial reform".<sup>82</sup> The *Homestead*<sup>83</sup> had observed that increase in the commodity value of debts was working hardships on producers and furnishing a point to the bi-metalists. It is needless to remark that the financial crisis of 1893 furnished fuel to the Populists and anti-gold Democrats of the State for intensified criticism of President Cleveland's monetary policy.

Following the panic of 1893 came what was pronounced the "most severe drouth"<sup>84</sup> that the entire country west of

<sup>80</sup> Cole's *A History of the People of Iowa*, p. 480.

<sup>81</sup> *Farmers' Tribune* (Des Moines), August 2, 1893, with clipping from the *Dubuque Telegraph*.

<sup>82</sup> *Farmers' Tribune* (Des Moines), October 24, 1894.

<sup>83</sup> *The Iowa Homestead* (Des Moines), January 25, 1889. Making comparisons between changes in prices of farm machinery and those in prices of farm products, E. W. Bemis (in the *Journal of Political Economy*, Vol. I, March, 1893, p. 208) said: "The prices of what the farmer buys have fallen even faster than those of what he sells." But this did not explain away the hardships of declining prices on debtor farmers. "The people who are head over heels in debt want a debt-paying currency," said the *Iowa Sentinel* (Corydon), a Populist paper, on April 13, 1893.

<sup>84</sup> *The Iowa Homestead* (Des Moines), October 26, 1894.

the Mississippi . . . ever experienced for forty years". Because of this drouth, in parts of western Iowa hogs were rushed to market, spring pigs were killed in August, horses were killed for hog feed, and some corn was repurchased by farmers and hauled back from the elevators at double the prices originally received by the farmers.<sup>85</sup> The average yield of corn per acre for the State in 1894 was only twelve bushels; and the total yield was estimated to be 80,867,640 bushels, slightly more than one-third of an average crop, with an unusual proportion of unsalable product.<sup>86</sup> In 1895 the spread of hog cholera was particularly noticeable, attracting legislative attention and resulting in action designed to check the disease.<sup>87</sup>

But over against the catalog of economic maladjustments must be placed a consideration of those conditions and developments that tended to offset, minimize, or, at least, diffuse the unrest. As indicated above, a high percentage of the mortgages were of the constructive and investment type, not suggestive of distress or frequent foreclosures. Though there was an increasing farm tenancy, with complaints against non-resident alien ownership of land in the State platforms of both major parties,<sup>88</sup> there was also a discounting of the idea of land monopoly in Iowa.<sup>89</sup>

There was contemporary testimony that Iowa "can well be proud of the progress she has made in State control of

<sup>85</sup> *The Iowa Homestead* (Des Moines), August 17, 1894.

<sup>86</sup> *Iowa Agricultural Report*, 1894, p. 73. The average price at the nearest railroad station for this crop was given as forty-five cents per bushel.

<sup>87</sup> *The Iowa Homestead* (Des Moines), November 8, 1895, January 3, February 14, April 17, 1896. This disease, which had caused trouble in previous years, was estimated to have "swept away nearly 40 per cent of our total swine herds" in 1896.—*Iowa Agricultural Report*, 1896, p. 122.

<sup>88</sup> *Appleton's Annual Cyclopaedia*, Vol. XII (1887), pp. 393, 394.

<sup>89</sup> *The Iowa Homestead* (Des Moines), July 12, 1889.

railroads.”<sup>90</sup> As a result, it was claimed, hay and corn from northern Iowa were sold at good prices in the dairy counties of eastern and southern Iowa in large quantities instead of paying tribute to Chicago as formerly.<sup>91</sup> “Eastern and middle Iowa once sold corn at 20 cents; these localities keep stock and buy feed now [1889] from the grain belt that has moved west.”<sup>92</sup> For the year ending on September 30, 1890, the amount of butter shipped by rail from Iowa was 71,255,796 pounds net.<sup>93</sup> Of the corn crop in 1892, estimated at 200,221,000 bushels,<sup>94</sup> only nineteen per cent was “shipped out of county where grown.”<sup>95</sup>

In the number of hogs packed, Iowa ranked third in the United States, coming next to Illinois and Missouri, during most of the ten years following 1890.<sup>96</sup> Iowa packing houses were slaughtering many of the hogs raised in the State, and Iowa was furnishing a large percentage of the hogs sent to the Chicago market.<sup>97</sup> In spite of the ravages of hog cholera, it meant something to be the leading hog State, for the hog was a good “freight condenser”, a chief source of prosperity, and the most continuously profitable animal

<sup>90</sup> Larrabee's *The Railroad Question* (Eleventh Edition), p. 348. The first edition appeared in 1893.

<sup>91</sup> *Annual Report of the Board of Railroad Commissioners of Iowa*, 1891, p. 10.

<sup>92</sup> *The Iowa Homestead* (Des Moines), January 4, 1889.

<sup>93</sup> *Iowa Agricultural Report*, 1898, p. 169. “The dairy portion of the State is the most prosperous”, said the *Iowa Agricultural Report* for 1896, p. 112.

<sup>94</sup> *Statistical Abstract of the United States*, 1893, p. 288.

<sup>95</sup> *Report of the Secretary of Agriculture of the United States*, 1892, p. 446. Kansas and Nebraska, with smaller yields, shipped twenty-two per cent and forty-two per cent respectively out of the county where grown.

<sup>96</sup> *Annual Report of the Chicago Board of Trade*, 1899, pp. 52, 53, quoting the *Cincinnati Prices Current*.

<sup>97</sup> It was claimed by the President of the State Agricultural Society, in discussing the year 1896, that Iowa was furnishing “50 per cent of the hogs and almost 30 per cent of the cattle sent to the great Chicago market”.—*Iowa Agricultural Report*, 1896, p. 115.

bred on the farms, and this, too, under the largest variety of circumstances. Because of this it was said that "for the 'plain people' in the agricultural west the hog has been king."<sup>98</sup> In 1893 the price of mess pork was greater than it had been for ten years;<sup>99</sup> and hog prices furnished a good item for the anti-calamity argument of Governor Boies in the panic year.<sup>100</sup> To meet the variety of price fluctuations for the different products, Iowa had a diversification of live stock. "The horse, sheep, and hog have all had their innings since cattle. . . . The farmer has taken off his hat to each of them in turn".<sup>101</sup> Unfortunately this variation caused many farmers to follow price-chasing and to shift emphasis constantly from one form of live stock to another.<sup>102</sup>

A rosy picture of Iowa and the immediately adjacent regions in contrast with the more arid regions farther west was published in the *Financial World* of Boston in 1894; no other section afforded "greater evidence of growth and prosperity. On every other hand the traveler sees new barns being erected, the houses are well kept, the villages are thriving."<sup>103</sup> Another witness<sup>104</sup> in the time of the panic, said, "No state in the union is in such good shape as the Hawkeye state", but urged every person to employ all

<sup>98</sup> *The Iowa Homestead* (Des Moines), October 4, 1895, September 18, 1896.

<sup>99</sup> *Statistical Abstract of the United States*, 1894, p. 410, quoting figures from the New York Produce Exchange. However, the high price was accompanied by a large decline in the number of hogs packed in the Mississippi Valley, including a heavy decline for Iowa. The *Cherokee Weekly Times* for April 13, 1893, noted that, in spite of the increase in hog prices, the total receipts from sales by farmers in the past winter was slightly less than in the previous season.

<sup>100</sup> *Council Bluffs Weekly Globe*, October 6, 1893.

<sup>101</sup> *The Iowa Homestead* (Des Moines), February 23, 1894.

<sup>102</sup> *The Iowa Homestead* (Des Moines), January 20, 1893.

<sup>103</sup> Quoted by *The Iowa Homestead* (Des Moines), August 10, 1894.

<sup>104</sup> *Des Moines News* quoted by *Council Bluffs Weekly Globe*, August 4, 1893.

the labor his means warranted and to keep every dollar in the bank he could.

The percentages of commercial failures in Iowa for the years 1891, 1892, 1893, and 1894 were 0.50, 0.52, 0.48, and 0.64, respectively; while corresponding percentages for Minnesota were 1.25, 1.06, 1.67, and 1.43; for Kansas 1.23, 0.92, 1.42, and 1.28; for Nebraska 1.92, 1.02, 1.68, and 1.15; and for the United States 1.07, 0.88, 1.28, and 1.25.<sup>105</sup> Only four of the three hundred and twenty-five State and savings banks of Iowa went into the hands of receivers during the quarter ending on June 30, 1893;<sup>106</sup> and the Comptroller of the Currency reported that "the Iowa banks are the safest and best managed in the union."<sup>107</sup> The amount of savings deposits in the savings banks in Iowa in 1893-1894 was \$26,230,214,<sup>108</sup> nearly ten millions more than the amount for the year 1889-1890. Flurries and financial straits were noted, particularly in the western part of the State, between 1893 and 1896.<sup>109</sup> In Monona County it was reported that a mob of fifty farmers rose against a deputy sheriff who was trying to serve writs issued for a banker-landowner, alleged to have "stripped tenants to destitution".<sup>110</sup> But

<sup>105</sup> *Statistical Abstract of the United States*, 1893, pp. 26, 27, 1894, pp. 366, 367. The amount of liabilities involved in failures in Iowa in 1893 was \$11,452,932, some millions more than the amounts of other years. Heavy failures occurred this year at Sioux City, where eastern money had been borrowed extensively and rather extravagant developments had been made.—*Iowa State Register* (Des Moines, Morning Edition), April 26, 1893.

<sup>106</sup> *Council Bluffs Weekly Globe*, October 6, 1893.

<sup>107</sup> *Des Moines News* quoted by *Council Bluffs Weekly Globe*, August 4, 1893.

<sup>108</sup> *Statistical Abstract of the United States*, 1894, p. 47. The amount reported for Iowa was slightly greater than the total reported for Illinois, Indiana, and Wisconsin.

<sup>109</sup> *Council Bluffs Weekly Globe*, June 16, July 7, August 4, 1893, January 3, 1896; *Iowa State Register* (Des Moines, Morning Edition), April 26, May 10, 1893.

<sup>110</sup> *Council Bluffs Weekly Globe*, January 3, 1896.

Jesse Macy, in an article in *The Review of Reviews* for July, 1894,<sup>111</sup> explained why the Populist movement in Iowa was not formidable and declared that the financial distress had not borne heavily on this section of the country.

It appears, therefore, that Iowa was in better condition to escape unrest than the regions to her west. Incidentally she had no city proletariat comparable to that of Illinois on the east, although there was "a tramp nuisance" during the panic period. Yet a Des Moines newspaper, while generally preaching bullish sentiment on Iowa, was ready to call attention to the big gains in the total value of American manufactures in contrast with the insignificant gains for agricultural products.<sup>112</sup> Iowa farm conditions were used by Governor Boies to illustrate his claim that "the nation's wealth is being constantly increased . . . largely derived from its agricultural resources and . . . those engaged in that industry are transacting business at a loss", that farming must be put on a different basis or the "nation must prepare for a storm, the consequences of which . . . no man can measure".<sup>113</sup> Economic grievances of Iowa farmers, however, were not a Populist monopoly. It was feared that the farmers' movement would swell the ranks of the third party instead of trusting for results "at the hands of one of the old parties".<sup>114</sup> Iowa had been the "Gibraltar of Republicanism", with farmers making up the rank and file of that party,<sup>115</sup> and through that party

<sup>111</sup> *The Review of Reviews*, Vol. X, p. 43.

<sup>112</sup> *Iowa State Register* (Des Moines, Morning Edition), April 9, 1893.

<sup>113</sup> Quoted from an anti-tariff speech by the *Sanborn Pioneer*, February 12, 1891.

<sup>114</sup> *Sanborn Pioneer*, May 14, 1891; *Adair County Democrat* (Greenfield), November 9, 1893.

<sup>115</sup> *The Iowa Homestead* (Des Moines), February 24, 1888; Irwin's *Is Iowa A Doubtful State?* in *The Forum*, Vol. XIII, pp. 257-264.



farmers had seen their grievances bear fruit in 1874 and 1888. The Democratic party was strong in the river towns and counties, receiving much support from the German element which was dissatisfied with the Republican prohibition attitude. There was a poor chance for the Populist party to grow in Iowa. It could only threaten to exercise a balance of power in politics and attract attention to farmers' grievances. The permanent effect of the Populist movement in Iowa is to be found in the intensification of the agrarian leanings or achievements of the major parties.

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# THE DEVELOPMENT OF TRANS-MISSISSIPPI POLITICAL GEOGRAPHY

## I

### THE LOUISIANA PURCHASE

The history of the political geography of the region west of the Mississippi River as a part of the United States does not commence until the year 1803. A map of the United States before the purchase of Louisiana would show only seventeen States and two Territories<sup>1</sup>—all east of the great river; to-day there are twenty-six States east of the Mississippi and twenty-two west of that river, and the area to the west is almost three-fourths of the total area of the United States.<sup>2</sup>

In 1803 probably few persons imagined that more than a small part of the Trans-Mississippi area would be organized into Territories and States, but during the next century changes occurred with such rapidity that map makers were kept busy adding new Territories, States, and acquisitions of territory. The portion of the United States west of the Louisiana Purchase was acquired within half a century. This included Texas by annexation; the Oregon country by right of early exploration, treaty, and settlement; the vast amorphous territory obtained as a result of the Mexican War; and the Gadsden Purchase. By the year 1912 all of the present forty-eight States were in the Union.

Before this vast western area was acquired by the United States, it was possessed by France and Spain. Spain by right of discovery and by the Papal Bull of Demarcation

<sup>1</sup> *Statistical Abstract of the United States*, 1919, No. 42, pp. 1, 2.

<sup>2</sup> *Statistical Abstract of the United States*, 1919, No. 42, pp. 1, 2. The total area of the United States is 3,026,789 square miles while the area of the 22 States west of the Mississippi River is 2,145,313 square miles.

claimed all south of the Arkansas River between the Sabine River and the Rocky Mountains, and all west of the Rocky Mountains along the entire coast.<sup>3</sup> In 1682 La Salle claimed for his king all the country drained by the Mississippi River and its tributaries, and named this territory Louisiana.<sup>4</sup> Thus Louisiana extended from the Alleghenies to the Rocky Mountains and the entire length of the Mississippi.

At the close of the French and Indian wars, France had lost that part of Louisiana east of the Mississippi, and the name Louisiana henceforth refers only to the territory between the Mississippi River and the Rocky Mountains. In 1762 France ceded this territory to Spain to compensate her ally for the loss of the Florida peninsula. By the secret treaty of San Ildefonso, on October 1, 1800, Napoleon induced Spain to transfer Louisiana back to France and he promised not to sell the territory thus acquired to any nation but Spain. The province of Louisiana was to have "the same extension that it now has in the possession of Spain, and that it had when France owned it".<sup>5</sup> Finding Louisiana useless to him after the failure in San Domingo and wishing to build up the United States as a rival to England, Napoleon sold the entire province to the United States for sixty million francs in cash and the assumption by the latter of the claims of Americans against France amounting to twenty million francs.<sup>6</sup>

The boundaries were somewhat indefinite.<sup>7</sup> President

<sup>3</sup> Johnson's *A Century of Expansion*, p. 3.

<sup>4</sup> Parkman's *La Salle and the Discovery of the Great West*, pp. 286-289; Bond's *Historical Sketch of "Louisiana" and the Louisiana Purchase*, p. 4.

<sup>5</sup> Robertson's *Louisiana Under the Rule of Spain, France, and the United States, 1765-1807*, Vol. II, p. 171. A part of the treaty is quoted in a letter from the French commissioner to the Spanish commissioner.

<sup>6</sup> Adams's *History of the United States of America*, Vol. II, p. 42.

<sup>7</sup> Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, pp. 3-7.

Jefferson felt that the “*unquestioned* bounds” of Louisiana were “the Iberville and Mississippi, on the east, the Mexicana [Sabine] or the Highlands east of it, on the west; then from the head of the Mexicana gaining the highlands which include the waters of the Mississippi, and following those highlands round the head springs of the western waters of the Mississippi to its source where we join the English or perhaps the Lake of the Woods”. At the same time he asserted: “We have some pretensions to extend the western territory of Louisiana to the Rio Norte, or Bravo; and still stronger the eastern boundary to the Rio Perdido between the rivers Mobile and Pensacola.”<sup>8</sup>

Hence by this treaty of purchase the United States came into possession of the largest and most valuable extent of territory that was ever obtained by any nation purely through purchase. Robert Livingston said: “The treaty . . . will change vast solitudes into a flourishing country. To-day the United States take their place among the Powers of the first rank. . . . The instrument we have signed will . . . prepare centuries of happiness for innumerable generations of the human race.”<sup>9</sup> Frederick J. Turner expresses his idea of the value of the purchase in these words: “The acquisition of these regions laid the physical foundation for our national greatness, furnished the base from which to extend our power to the Pacific Ocean, and gave us a dominating strategic position in reference to Spanish America.”<sup>10</sup>

<sup>8</sup> *Jefferson's Writings* (Ford's Edition), Vol. VIII, p. 263; *American State Papers, Foreign Relations*, Vol. II, p. 576; Marshall's *A History of the Western Boundary of the Louisiana Purchase in the University of California Publications in History*, Vol. II, p. 10.

<sup>9</sup> *House Executive Documents*, 57th Congress, 2nd Session, Doc. No. 431, p. 291.

<sup>10</sup> Turner's *The Diplomatic Contest for the Mississippi Valley in The Atlantic Monthly*, Vol. XCIII, p. 676.

Spain of course was determined to restrict Louisiana to the narrowest bounds possible.<sup>11</sup> Since Spain and the United States had opposing views as to the boundaries between their possessions, there were many proposals and counter proposals during the negotiation of the treaty of 1819.<sup>12</sup> As finally concluded on February 22, 1819, the dividing line followed the western bank of the Sabine River to the thirty-second degree of latitude, thence by a line due north to the Red River, westward along the Red River to the hundredth meridian, then by a line due north to the Arkansas River, then along the southern bank of the Arkansas to latitude forty-two degrees north, and along that parallel of latitude to the Pacific Ocean.<sup>13</sup> In 1828 Mexico, which had then won its independence from Spain, recognized by treaty the validity of the boundaries fixed in 1819.<sup>14</sup>

Thus in 1803 the United States came into possession of the territory called Louisiana. After the treaty with Spain Louisiana included all the territory between the Rocky Mountains and the line of 1819 as far east as the Mississippi River, and south of the British possessions as far as the Gulf of Mexico. Spain claimed the land south and west of Louisiana.

## II

### THE FIRST FOUR STATES WEST OF THE MISSISSIPPI RIVER

The treaty concluded with France on April 30, 1803, provided that the inhabitants of the ceded territory were to

<sup>11</sup> Donaldson's *The Public Domain*, pp. 108, 109.

<sup>12</sup> Marshall's *A History of the Western Boundary of the Louisiana Purchase* in the *University of California Publications in History*, Vol. II, Chs. I-III.

<sup>13</sup> *United States Statutes at Large*, Vol. VIII, pp. 254, 256.

<sup>14</sup> *United States Statutes at Large*, Vol. VIII, p. 374.

"be incorporated in the Union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages and immunities of citizens of the United States".<sup>15</sup> On October 31, 1803, the President was authorized by an act of Congress to take possession of the territory,<sup>16</sup> and on March 26, 1804, Congress organized Louisiana into two Territories. The Territory of Orleans constituted all that portion of the country ceded by France to the United States south of the thirty-third degree of north latitude.<sup>17</sup> The remainder of the province of Louisiana was called the District of Louisiana and its government was placed in the hands of the officers of Indiana Territory.<sup>18</sup>

On September 29, 1804, two days before the act of March, 1804, was to take effect, a petition was drawn up in St. Louis remonstrating against the annexation of upper Louisiana to Indiana Territory.<sup>19</sup> The signers claimed that if the Louisiana Purchase had not been divided it would have had sufficient population to be admitted as a State, and that if Congress could divide Louisiana once, it could be sub-divided indefinitely whenever the population of any sub-division became sufficient to form a State. The delegates objected to being under the government of another Territory and to the fact that the seat of government was at Vincennes, many miles away over impassable roads. Then, too, the laws of Indiana Territory were different — slavery existed in Louisiana and was prohibited in the

<sup>15</sup> Gayarre's *History of Louisiana*, Vol. III, p. 641.

<sup>16</sup> *United States Statutes at Large*, Vol. II, p. 245.

<sup>17</sup> *United States Statutes at Large*, Vol. II, p. 283.

<sup>18</sup> *United States Statutes at Large*, Vol. II, p. 287.

<sup>19</sup> *American State Papers, Miscellaneous*, Vol. I, pp. 400-404. This petition was presented to Congress on January 4, 1805.

Northwest Territory. Two months after the petition was presented to Congress — on March 3, 1805 — the District of Louisiana was given officials of its own.<sup>20</sup>

Spanish diplomacy aimed at retaining the territory between the Mississippi and the Perdido rivers.<sup>21</sup> On the other hand the United States refused to accept such a boundary and on February 24, 1804, Congress passed an act which provided for laying and collecting duties in this territory east of the Mississippi River, usually known as West Florida.<sup>22</sup> In September, 1810, the people of West Florida brought about the next step toward the annexation of that district to the United States. Their representatives in a convention drew up a declaration of independence, since there was no longer "any hope of protection from the mother country".<sup>23</sup>

A month later the president of the West Florida convention addressed a communication to the Secretary of State praying for the annexation of West Florida to the United States.<sup>24</sup> The people wished to have their district admitted immediately "into the Union as an independent State, or as a Territory of the United States, with permission to establish" their "own form of government, or to be united with one of the neighboring Territories, or as a part of one of them, in such manner as to form a State." If they were to be annexed to some other political division they preferred the "Island of Orleans". In consequence of these events President James Madison issued a proclamation on October

<sup>20</sup> *United States Statutes at Large*, Vol. II, p. 331.

<sup>21</sup> Bond's *Historical Sketch of "Louisiana" and the Louisiana Purchase*, pp. 10, 11.

<sup>22</sup> *United States Statutes at Large*, Vol. II, p. 252.

<sup>23</sup> *Annals of Congress*, 11th Congress, 3rd Session, p. 1254; Gayarre's *History of Louisiana*, Vol. IV, pp. 231-233.

<sup>24</sup> *Annals of Congress*, 11th Congress, 3rd Session, p. 1252; Gayarre's *History of Louisiana*, Vol. IV, pp. 233-236.

27, 1810, "that possession should be taken of said Territory, in the name and behalf of the United States."<sup>25</sup> On the same day the Secretary of State sent instructions to William C. Claiborne, Governor of the Territory of Orleans, that the West Florida district was to be considered as a part of the Territory of Orleans.<sup>26</sup>

In January, 1811, a bill enabling the Territory of Orleans to form a constitution preparatory to admission into the Union was considered in Congress,<sup>27</sup> and on February 20th it was approved by the President. A convention assembled in New Orleans completed a constitution on January 28, 1812,<sup>28</sup> and in March the House of Representatives at Washington discussed a bill for the admission of Louisiana into the Union as a State, and for the annexation of part of West Florida to the new State. The Senate disagreed and the bill passed without the annexation clause.<sup>29</sup>

By this act, approved by the President on April 8, 1812, Louisiana was given the following boundaries: "beginning at the mouth of the river Sabine; thence, by a line to be drawn along the middle of the said river, including all islands to the thirty-second degree north latitude; thence, due north, to the northernmost part of the thirty-third degree of north latitude; thence, along the said parallel of latitude, to the river Mississippi; thence, down the said river, to the river Iberville; and from thence, along the middle of the said river, and lakes Maurepas and Ponchar-

<sup>25</sup> Gayarre's *History of Louisiana*, Vol. IV, pp. 235-238; *Annals of Congress*, 11th Congress, 3rd Session, pp. 1257, 1258.

<sup>26</sup> *Annals of Congress*, 11th Congress, 3rd Session, p. 1256.

<sup>27</sup> *Annals of Congress*, 11th Congress, 3rd Session, pp. 518-542.

<sup>28</sup> Gayarre's *History of Louisiana*, Vol. IV, pp. 268-275; *Annals of Congress*, 11th Congress, 3rd Session, pp. 1326-1328.

<sup>29</sup> *United States Statutes at Large*, Vol. II, p. 701; *Annals of Congress*, 12th Congress, 2nd Session, pp. 1225, 1226.



train, to the Gulf of Mexico; thence, bounded by the said gulf, to the place of beginning, including all islands within three leagues of the coast''.

It was, however, a matter of only a few days before the present boundaries were secured. By an act approved by the President on April 14, 1812, the limits of Louisiana were extended to include the area bounded by the Pearl River on the east and by the thirty-first degree of north latitude on the north.<sup>30</sup> Thus Louisiana obtained her present boundaries, and had the honor of being the first State erected out of the great expanse of land west of the Mississippi River. On June 4, 1812, the name Missouri was given to the District of Louisiana.<sup>31</sup>

By 1817 petitions began to be circulated by the inhabitants of Missouri asking for statehood. One of these advanced the arguments that the boundaries of Missouri should be the latitudes forty degrees and thirty-six degrees thirty minutes on the north and south, the Mississippi River on the east, and the Osage boundary on the west.<sup>32</sup> Two-thirds of this memorial was taken up with the subject of boundaries and the reasons for the selected boundaries were given as follows:

The southern limit will be an extension of the line that divides Virginia and North Carolina, Tennessee and Kentucky. The northern will correspond nearly with the north limit of the territory of Illinois and with the Indiana boundary line, near the mouth of the River Des Moines. A front of three and a half degrees upon the Mississippi will be left to the South to form a territory of Arkansas, with the River Arkansas traversing its centre. A front of three & a half degrees more, upon a medium depth of 200 miles,

<sup>30</sup> *United States Statutes at Large*, Vol. II, pp. 702, 708, 709.

<sup>31</sup> *United States Statutes at Large*, Vol. II, p. 743.

<sup>32</sup> Shoemaker's *Missouri's Struggle for Statehood*, Appendix I, pp. 321-323. For the Osage boundary see *American State Papers, Indian Affairs*, Vol. I, p. 763.

with the Missouri River in the centre, will form the State of Missouri.

They will make the Missouri river the *centre*, and not the *boundary* of the state.

The memorialists, fearing that Congress might select the Missouri River as the natural boundary for the State, deprecated "the idea of making the *civil* divisions of the states to correspond with the *natural* divisions of the country. Such divisions will promote that tendency to separate, which it is the policy of the Union to counteract."<sup>33</sup>

The year 1818 brought forth another memorial which asked for a far greater extent of territory than the former request and embraced an even larger domain than the present area. It included all the territory within the present State of Missouri except the northwestern corner, a large portion of the northeastern part of the State of Arkansas, and parts of Oklahoma and Kansas. These limits, it was said, were desired for the following reasons:

The districts of country that are fertile and susceptible of settlement are small, and are detached and separated from each other at great distances by immense plains and barren tracts, which must for ages remain waste and uninhabited. These distant frontier settlements, thus insulated, must ever be weak and powerless in themselves, and can only become important and respectable by being united; and one of the great objects your memorialists have in view is the formation of an effectual barrier for the future against Indian incursions, by pushing forward and fostering a strong settlement on the little river Platte to the west, and on the Des Moines to the north.<sup>34</sup>

The request for the country on the west was based on a desire for a large State and for that fertile land which would soon be settled by the westward pushing pioneers.

<sup>33</sup> Shoemaker's *Missouri's Struggle for Statehood*, Appendix I, p. 322.

<sup>34</sup> *American State Papers, Miscellaneous*, Vol. II, p. 557.

Besides, the boundary selected would have given a straight line for the western limit.<sup>35</sup>

Before Missouri acquired statehood, however, the Territory of Arkansas was created, including all that part of the Territory of Missouri which lay south of a line beginning on the Mississippi River at thirty-six degrees north latitude, running west to the river St. Francis, thence up the same to the parallel of thirty-six degrees thirty minutes north latitude, and thence west to the western territorial boundary line.<sup>36</sup> Even after the northern boundary of Arkansas was thus established, there was still considerable discussion about the southern boundary of Missouri. This is indicated by a petition presented to Congress in 1819 which requested that the proposed State of Missouri be given the Missouri River for its northern limit and for a southern line the parallel of thirty-six degrees and thirty minutes north latitude to its intersection with the White River, and down that river to the mouth of the Big Black River, thence east to the Mississippi River.<sup>37</sup>

At this time the famous discussion with respect to slavery in Missouri was taking place in Congress, resulting in the well-known Missouri Compromise. The boundaries as fixed in the act of March 6, 1820, included the northern Arkansas line for Missouri's southern boundary to a point where the parallel of thirty-six degrees and thirty minutes is "intersected by a meridian line passing through the middle of the mouth of the Kansas river, where the same empties into the

<sup>35</sup> The reason for the irregular southern boundary is not known, but Floyd C. Shoemaker advances the theory that it was the work of influential landowners and politicians of southeastern Missouri who wanted an issue for arousing sectional rivalry to secure advantages for themselves. A petition from the Arkansas country indicates that it did not favor such a dividing line.—Shoemaker's *Missouri's Struggle for Statehood*, pp. 45-55.

<sup>36</sup> *United States Statutes at Large*, Vol. III, pp. 493, 494.

<sup>37</sup> *Annals of Congress*, 16th Congress, 1st Session, p. 43.

Missouri river, thence, from the point aforesaid north, along the said meridian line, to the intersection of the parallel of latitude which passes through the rapids of the river Des Moines, making the said line to correspond with the Indian boundary line; thence east, from the point of intersection last aforesaid, along the said parallel of latitude, to the middle of the channel of the main fork of the said river Des Moines; thence down and along the middle of the main channel of the said river Des Moines, to the branch of the same, where it empties into the Mississippi river", and down the Mississippi to the place of beginning.<sup>38</sup>

On March 2, 1821, the President approved the act which admitted Missouri into the Union, with the above mentioned boundaries. In 1836 the western limit was extended to the Missouri River,<sup>39</sup> thereby fixing the boundary as it is at present.

With the admission of Missouri into the Union, the northern boundary of the Territory of Arkansas was definitely fixed, the southern boundary corresponding to the northern boundary of the State of Louisiana. There were, however, several changes in the western and southwestern boundaries before the Territory of Arkansas received the present area of the State.

The western boundary as fixed by statute in 1819 was the "western territorial boundary"—the western boundary line of Missouri Territory.<sup>40</sup> This western limit was the same as that of the old District of Louisiana<sup>41</sup> which of course was the western boundary of the Louisiana<sup>42</sup> Pur-

<sup>38</sup> *United States Statutes at Large*, Vol. III, p. 545.

<sup>39</sup> *United States Statutes at Large*, Vol. V, p. 34.

<sup>40</sup> *United States Statutes at Large*, Vol. III, p. 493.

<sup>41</sup> *United States Statutes at Large*, Vol. III, p. 743.

<sup>42</sup> *United States Statutes at Large*, Vol. III, p. 283.

chase. Thus the western boundary of the Territory of Arkansas was the western boundary of the Louisiana Purchase as defined in 1819,<sup>43</sup> eight days before the act making Arkansas a Territory. This statutory boundary included in the Territory of Arkansas almost the whole of the present State of Oklahoma.

On the other hand the civil jurisdiction of the Territorial governors and legislators was confined to that part of the Territory to which the Indian rights of occupation had been extinguished.<sup>44</sup> On November 10, 1808, a treaty was concluded with the Osages, whereby they ceded all their territory north of the Arkansas River and between the Mississippi River and a line running south from Fort Clark on the Missouri to the Arkansas River.<sup>45</sup> This was extended a little farther west in 1818.<sup>46</sup> Tracts in western Arkansas were ceded by the government to the Cherokees and Choctaws by treaties,<sup>47</sup> which further limited the civil jurisdiction of Arkansas Territorial officials. Settlers found west of the Choctaw line were asked to leave, and in consequence there were emphatic protests against the action of the government in ceding the territory to the Indians. In 1823 Congress provided for a modification of the treaty made with the Choctaws in 1820 by drawing the line between them and the western boundary of the Territory of Arkansas due south from the southwestern corner of the State of Missouri to the Red River. This was the first indication that the Territory of Arkansas was to be perma-

<sup>43</sup> *United States Statutes at Large*, Vol. VIII, pp. 254, 256.

<sup>44</sup> For a discussion of the Indian boundary lines in Arkansas see Reynolds's *The Western Boundary of Arkansas* in the *Publications of the Arkansas Historical Association*, Vol. II, pp. 211-236.

<sup>45</sup> *American State Papers, Indian Affairs*, Vol. I, pp. 763, 1808.

<sup>46</sup> *American State Papers, Indian Affairs*, Vol. II, p. 167.

<sup>47</sup> *American State Papers, Indian Affairs*, Vol. II, pp. 187, 224.

nently reduced in size. Nothing resulted from the act through failure of the letter of instructions to reach the commissioners who were to negotiate the treaty.<sup>48</sup>

The people of Arkansas, becoming aroused, sent a memorial to Congress petitioning that the line be fixed so far west as to include all of Miller and Crawford counties and their inhabitants.<sup>49</sup> Perhaps in response to this petition, a bill was passed in 1824 which fixed the line so as to include these counties. The revised boundaries began "at a point forty miles west of the south-west corner of the state of Missouri", and ran "south to the right bank of the Red River, and thence down the river, and with the Mexican boundary, to the line of the state of Louisiana".<sup>50</sup>

The Choctaws protested that this act was a violation of their treaty rights, and on January 20, 1825, John C. Calhoun, Secretary of State, concluded a new treaty with them whereby they ceded to the United States all their lands "east of a line beginning on the Arkansas, one hundred paces east of Fort Smith, and running thence, due south, to Red River".<sup>51</sup> Henry W. Conway, delegate from Arkansas, protested, but Secretary Calhoun replied that if the terms were not accepted the old Choctaw line of 1820 would stand and the government would be compelled to remove all white settlers found west of that line.<sup>52</sup>

By a treaty made in 1828 the Cherokees ceded to the United States all claims to lands in Arkansas as now bounded, and the Choctaws were reassured by another declaration of their boundary as agreed upon in the treaty

<sup>48</sup> Reynolds's *The Western Boundary of Arkansas in the Publications of the Arkansas Historical Association*, Vol. II, pp. 220, 221.

<sup>49</sup> *American State Papers, Indian Affairs*, Vol. II, p. 556.

<sup>50</sup> *United States Statutes at Large*, Vol. IV, p. 40.

<sup>51</sup> *United States Statutes at Large*, Vol. VII, p. 234; *American State Papers, Indian Affairs*, Vol. II, pp. 547, 548.

<sup>52</sup> *American State Papers, Indian Affairs*, Vol. II, pp. 557, 558.

of 1825. The western boundary thus defined was a line commencing on the Red River at a point where the eastern Choctaw line — as described above — struck the Red River, and then due north with the said line to the Arkansas River, thence by a line to the southwest corner of Missouri.<sup>53</sup>

The Indian treaties of 1825 and 1828<sup>54</sup> cut off a strip about forty miles wide, and set aside the act of Congress of 1824. Senator Thomas H. Benton objected to this change because it reduced Arkansas to a weak State, while the Mexican and Indian border conditions required a strong frontier Territory. He said it was also unconstitutional, because an Indian treaty was not one of international interests, and was, therefore, not superior to a statute, and furthermore the fixing and altering of Territorial boundaries was not a proper subject for a treaty.<sup>55</sup> This line, however, remained the permanent western boundary for Arkansas, except for a small strip of land which Arkansas received by a law passed on February 10, 1905, two years before the admission of the State of Oklahoma. This addition lies west of Fort Smith between the mouths of Poteau and Mill creeks.<sup>56</sup>

Another phase of the western boundary question was the line at the southwest corner between Arkansas and Mexico, later Texas. The boundary line between the possessions of Spain and the United States as defined in the treaty of 1819 had never been surveyed. After a series of negotiations with Mexico and Texas, a treaty was concluded in 1838 which provided for the surveying of the line from the mouth

<sup>53</sup> *United States Statutes at Large*, Vol. VII, p. 311.

<sup>54</sup> Reaffirmed 1830 and 1855.— Reynolds's *The Western Boundary of Arkansas* in the *Publications of the Arkansas Historical Association*, Vol. II, pp. 222, 224, 225, 227; *United States Statutes at Large*, Vol. VII, p. 333, Vol. XI, p. 611.

<sup>55</sup> Benton's *Thirty Years' View*, Vol. I, p. 107.

<sup>56</sup> *United States Statutes at Large*, Vol. XXXIII, pp. 714, 715.

of the Sabine to the Red River, according to the treaty of 1828 with Mexico.<sup>57</sup> The survey, completed in 1841, was in favor of Texas.<sup>58</sup>

In 1836, the Territory of Arkansas was admitted into the Union as the third State west of the Mississippi River. According to the act of admission, Arkansas was bounded on the north by the parallel of thirty-six degrees north latitude to the Saint Francis River, thence up the middle of the main channel of said river to the parallel of thirty-six degrees and thirty minutes, thence west to the southwest corner of the State of Missouri; on the west by the lines described in the first article of the treaty between the United States and the Cherokee nation of Indians on May 26, 1828,<sup>59</sup> to the Red River; on the south by the Mexican boundary line<sup>60</sup> and the northern boundary of Louisiana; and on the east by the Mississippi River.<sup>61</sup>

A fourth State was not formed for about a decade, but a map at the close of that period shows several organized Territories, in addition to the four States. With the creation of each, a corresponding boundary rearrangement had taken place. When the State of Missouri was cut out of what was termed Missouri Territory, the United States made no arrangement for the territory that remained to the north. This condition prevailed until 1834 when part of the region west of the Mississippi River was attached to and made part of the Territory of Michigan for the purpose of temporary government.<sup>62</sup> This addition to Michigan

<sup>57</sup> *United States Statutes at Large*, Vol. VIII, p. 511.

<sup>58</sup> Reynolds's *The Western Boundary of Arkansas in the Publications of the Arkansas Historical Association*, Vol. II, pp. 235, 236.

<sup>59</sup> *United States Statutes at Large*, Vol. V, p. 51.

<sup>60</sup> *United States Statutes at Large*, Vol. V, p. 51, Vol. VIII, pp. 254, 256.

<sup>61</sup> *United States Statutes at Large*, Vol. V, p. 51.

<sup>62</sup> *United States Statutes at Large*, Vol. IV, p. 701.



Territory was bounded on the east by the Mississippi River; on the south by the State of Missouri and a line drawn west from the northwest corner of that State to the Missouri River;<sup>63</sup> on the southwest and west by the Missouri River and the White Earth River; and on the north by the northern boundary of the United States.<sup>64</sup> Michigan Territory thus included the whole area of the present States of Michigan, Wisconsin, Iowa, Minnesota, and parts of North and South Dakota.

Since Michigan Territory with these boundaries covered a very large area, Congress created another Territory in 1836, which it called Wisconsin Territory. It was bounded by a line drawn through the middle of Lake Michigan, Green Bay, the Menomonie River, Lake of the Desert, Montreal River, thence by a direct line across Lake Superior to the boundary of the United States, then by the former boundaries of the Territory of Michigan as described above to the northern boundary of Illinois, and along said boundary to Lake Michigan.<sup>65</sup> Wisconsin Territory thus included all the area of the old Michigan Territory except the area in the present State of Michigan.

On June 12, 1838, the Territory of Wisconsin was in turn divided and the separate Territorial government of Iowa was established. While Michigan Territory had jurisdiction west of the Mississippi River, that part of the Territory west of the river was divided into two counties, Dubuque County and Des Moines County. These two counties were joined for judicial purposes to Iowa County, east of the Mississippi, and they were referred to as the Iowa<sup>66</sup>

<sup>63</sup> Missouri did not receive her present western boundary until 1837.— *United States Statutes at Large*, Vol. V, p. 34.

<sup>64</sup> *United States Statutes at Large*, Vol. IV, p. 701.

<sup>65</sup> *United States Statutes at Large*, Vol. V, pp. 10, 11.

<sup>66</sup> Sabin's *The Making of Iowa*, pp. 20, 21; Shambaugh's *History of the Constitutions of Iowa*, p. 96.

District. At the time Michigan Territory was divided this area became Wisconsin Territory and when a separate organization was asked for by the people of western Wisconsin,<sup>67</sup> Congress established Iowa Territory giving it the name suggested by the former Iowa District. This new Territory lay entirely west of the Mississippi River and a line extending from the headwaters of that river to the United States boundary line. To the west its boundary was the White Earth and Missouri rivers.<sup>68</sup>

The new Territory inherited a dispute with Missouri over their common boundary. A few days after the creation of Iowa Territory, Congress authorized the President of the United States to appoint a commissioner to ascertain the southern boundary of Iowa.<sup>69</sup> In January of the next year the commissioner presented his report setting forth the various possible lines and the historical events of the dispute<sup>70</sup> which were briefly as follows.

A treaty with the Osage Indians in 1808 established an Indian boundary line to the north of the Missouri River.<sup>71</sup> This line was run and marked in 1816 by J. C. Sullivan, a surveyor. It began on the Missouri River opposite the mouth of the Kansas River, thence one hundred miles north, and according to the field notes due east about one hundred and fifty miles to the Des Moines River. But due to an error in making corrections for the variation of the needle, the general course of the line was subsequently found to run north of east to about two and a half degrees at the east end.

<sup>67</sup> Shambaugh's *History of the Constitutions of Iowa*, pp. 87-90.

<sup>68</sup> *United States Statutes at Large*, Vol. V, p. 235.

<sup>69</sup> *United States Statutes at Large*, Vol. V, p. 248.

<sup>70</sup> Parish's *Robert Lucas*, pp. 236-238; *Iowa Historical Record*, Vol. II, pp. 193-206.

<sup>71</sup> *American State Papers, Indian Affairs*, Vol. I, p. 763.

The enabling act for Missouri adopted on March 6, 1820, required that the boundary line "correspond with the Indian boundary line",<sup>72</sup> and the State of Missouri exercised its jurisdiction to the Sullivan line, which was the only Indian boundary line that had been run. Michigan, Wisconsin, and Iowa Territories in turn exercised jurisdiction as far south as this same line. Later Missouri claimed some territory north of this, claiming that the provision in the enabling act meant that the boundary line should be the parallel of latitude passing through the rapids of the River Des Moines, instead of the Des Moines rapids in the Mississippi. The commissioner, therefore, presented four lines, each one of which corresponded to some description in the act of 1820: (1) the old Indian boundary, or Sullivan's line extended west to the Missouri River; (2) the parallel of latitude passing through the northwest corner of the Indian boundary; (3) the parallel of latitude passing through the Des Moines rapids in the Mississippi River; (4) the parallel of latitude passing through the rapids in the Des Moines River at the Great Bend.

In commenting upon these boundaries, Albert M. Lea, the commissioner, decided that the first was the equitable and proper boundary, but not the legal one according to the law of 1820; that the second was neither equitable nor legal; and that the third and fourth both fulfilled the conditions of the law.<sup>73</sup> The Governor of Missouri claimed the fourth as the legal boundary, while Iowa insisted on the third line, and the militia was called out on both sides. Finally Congress authorized Missouri and Iowa to commence a suit in the Supreme Court to settle the question.<sup>74</sup>

<sup>72</sup> *United States Statutes at Large*, Vol. III, p. 545.

<sup>73</sup> *Senate Executive Documents*, 26th Congress, 1st Session, Vol. I, No. 4; Parish's *Robert Lucas*, pp. 227-238.

<sup>74</sup> *United States Statutes at Large*, Vol. IX, p. 52.

The Supreme Court held that the proper boundary was the old Indian line as run by Sullivan in 1816, because the United States had made treaties referring to the line, had recognized it in 1820 as the northern boundary of Missouri, and Missouri herself had recognized this line for many years. The Court found no rapids in the Des Moines River such as those referred to, and therefore Missouri's claim to this northern line could not be upheld. On the other hand since it was uncertain whether the rapids in the Mississippi were the ones meant, Iowa's claim to a line as far south as that could not be upheld. For the portion of territory added in 1837 lying west of Sullivan's line, a line prolonged due west from Sullivan's northwest corner on a parallel of latitude to the middle of the Missouri River was fixed as the true northern boundary.<sup>75</sup> Almost a half century later — 1896 — the matter was again referred to the Supreme Court, because many of the posts marking the boundary had been destroyed.<sup>76</sup> The same boundary as defined in the former decree was confirmed by the court.<sup>77</sup>

In 1840 and 1842 the question of statehood was voted down in Iowa, but in 1844 the citizens there signified that they wished a convention for the purpose of drawing up a constitution. This constitution of 1844 fixed the eastern, western, and southern boundaries practically as they now are, but the northern boundary was to be a line connecting the mouth of the Big Sioux (Calumet) River, with the sharp bend in the Minnesota (St. Peter's) River.<sup>78</sup>

<sup>75</sup> Scott's *Judicial Settlement of Controversies between States of the American Union: Cases Decided in the Supreme Court of the United States*, Vol. II, pp. 874-938; *Iowa Historical Record*, Vol. II, pp. 266-271.

<sup>76</sup> Larzelere's *The Iowa-Missouri Disputed Boundary in The Mississippi Valley Historical Review*, Vol. III, p. 84.

<sup>77</sup> Scott's *Judicial Settlement of Controversies between States of the American Union: Cases Decided in the Supreme Court of the United States*, Vol. II, pp. 1173-1176, 1246-1263.

<sup>78</sup> Sabin's *The Making of Iowa*, pp. 26, 27; Shambaugh's *History of the Constitutions of Iowa*, pp. 235, 241.

In March, 1845, however, Congress not only rejected the proposed limits, but offered a new western boundary that would have made Iowa about two-thirds as wide from east to west as it is now, but would have extended it over forty miles farther north into Minnesota.<sup>79</sup> A warm discussion ensued. Some of the settlers were in favor of accepting the new boundaries, claiming that the western portion was so uninhabitable that it would prove a burden, and that if the proposals of Congress were not accepted, Iowa would be given nothing. The opponents of the congressional boundaries, however, demonstrated to the voters that the nation was ever spreading westward, and so convinced them of the importance of holding the western area that the amended constitution was defeated in 1845.

In May, 1846, another Territorial convention, after due deliberation, selected the boundary limits that Iowa now has — bounded on the south by the northern boundary of Missouri, on the west by the Missouri and Big Sioux rivers, on the north by the parallel of forty-three degrees and thirty minutes, and on the east by the Mississippi River. Congress approved these limits,<sup>80</sup> and Iowa was admitted as a State in December, 1846.<sup>81</sup> No arrangement was made for the government of the remaining portion of Iowa Territory until the act of 1849 which created the Territory of Minnesota.

### III

#### THE EXPANSION OF THE UNITED STATES

1845-1848

Before the Louisiana Purchase had been fully organized into States and Territories, other regions west of the Mis-

<sup>79</sup> *United States Statutes at Large*, Vol. V, p. 742.

<sup>80</sup> *United States Statutes at Large*, Vol. IX, p. 52.

<sup>81</sup> *United States Statutes at Large*, Vol. IX, p. 117.

issippi River were added to the United States. The Texas country was the first of these extensive additions. From the seventeenth century until the United States Supreme Court made its decision concerning Greer County, Oklahoma, in 1896, the limits of Texas have been unsettled.

This region was the home of the Tejas Indians and in 1690 a mission was planted there by the Spaniards.<sup>82</sup> In 1727 the weak colony was formed into a province with uncertain boundaries under the name of Texas.<sup>83</sup> At the time of the purchase of Louisiana in 1803, President Jefferson made some pretensions to include Texas in the territory,<sup>84</sup> but the line of 1819, fixed after negotiations with Spain, left it under Spanish control.<sup>85</sup>

In 1821 when Mexico gained her independence from Spain, she succeeded to the possession of Texas, and in 1828 a treaty was made with Mexico recognizing the boundaries of 1819.<sup>86</sup> Previous to this treaty several unsuccessful attempts were made to purchase Texas,<sup>87</sup> and under Jackson's administration renewed efforts to accomplish this were also fruitless.<sup>88</sup>

The Mexican government inaugurated a more liberal policy toward immigration than had the Spanish officials; and, as a result, large numbers of Anglo-Americans came into Texas and became the dominant element. Unable to endure

<sup>82</sup> Garrison's *Westward Extension*, p. 98.

<sup>83</sup> Garrison's *Tejas*, p. 7.

<sup>84</sup> *Jefferson's Writings* (Ford's Edition), Vol. VIII, p. 262.

<sup>85</sup> For the Louisiana-Texas boundary see Cox's *The Louisiana-Texas Frontier* in *The Southwestern Historical Quarterly*, Vol. XVII, pp. 1-42, 140-187.

<sup>86</sup> *United States Statutes at Large*, Vol. VIII, pp. 372-375.

<sup>87</sup> Manning's *Early Diplomatic Relations between the United States and Mexico*, pp. 306-348; Manning's *Texas and the Boundary Issue, 1822-1829*, in *The Southwestern Historical Quarterly*, Vol. XVII, pp. 217-261.

<sup>88</sup> Manning's *Early Diplomatic Relations between the United States and Mexico*, pp. 334-344.

Mexican methods of government, they revolted from Mexican control in 1836 and while Santa Anna was a prisoner, the newly organized Texan government exacted from the Mexicans the agreement that the Rio Grande River should be the western boundary of Texas.<sup>89</sup> Although Mexico repudiated this treaty of 1836, the Texan Congress in December defined the western boundary as extending from the mouth of the Rio Grande to its source.<sup>90</sup>

Soon afterwards the Texans sought annexation to the United States, but the effort failed because of the opposition from the anti-slavery element in this country. Since Texas was so great a prize, however, and might also become an instrument of European powers, the Texan republic did not long remain independent. In 1843 it again made overtures for annexation to this country and although the Senate failed to ratify the treaty of 1844, the declaration of the voters in the presidential election of 1844 for the annexation of Texas<sup>91</sup> led to a joint resolution of the two houses of Congress, passed on March 1, 1845, which authorized annexation.

According to the resolution all disputes over boundaries that might arise with other governments in forming the State of Texas were to be subject to adjustment by the United States government. Additional States not to exceed four in number might be formed from the territory of Texas by its consent.<sup>92</sup> Thus the vast area of the State of Texas was added to our possessions west of the Mississippi, with its northern and eastern boundaries determined by the line of 1819, but with its western boundary in dispute with Mexico. On December 29, 1845, Texas was admitted into

<sup>89</sup> For a text of the treaty see *Niles' Register*, Vol. LXIX, p. 98.

<sup>90</sup> Garrison's *Texas*, p. 243.

<sup>91</sup> Garrison's *Westward Extension*, pp. 114, 119, 120, 121, 145, 146.

<sup>92</sup> *United States Statutes at Large*, Vol. V. p. 797.

the Union as the fifth State west of the Mississippi River.<sup>93</sup>

The next year definite boundaries were given to the possessions of the United States in the Oregon country. Summarized briefly the grounds for our claim to Oregon were as follows: (1) the treaty of 1819 whereby the Spanish title was ceded to us; (2) the discovery and exploration of the Columbia River; (3) the Lewis and Clark expedition; (4) the permanent settlement by Americans at Astoria; and (5) the Louisiana Purchase which gave us whatever title France might have to Oregon.<sup>94</sup> Russia and England, however, as well as the United States laid claim to this region.

In 1818 a treaty had been ratified by the governments of the United States and Great Britain providing for the line of forty-nine degrees north latitude as the northern limit of the Louisiana Purchase and that "any country that may be claimed by either party on the northwest coast of America, westward of the Stony [Rocky] Mountains" should be free and open to the subjects of both nations for a period of ten years.<sup>95</sup> This gave Americans and Englishmen equal rights to trade and settle in any part of the Oregon country, but neither could have absolute control over any part of it, until the questions of ownership and boundaries were settled. In 1827 the convention of 1818 was renewed for an indefinite period, giving either party the liberty, after October 20, 1828, of abrogating the agreement on giving twelve months' notice.<sup>96</sup> In 1824 Russia had agreed that her boundary should not extend south of fifty-four degrees and forty minutes.<sup>97</sup>

<sup>93</sup> *United States Statutes at Large*, Vol. IX, p. 108.

<sup>94</sup> Johnson's *A Century of Expansion*, pp. 185, 186.

<sup>95</sup> *United States Statutes at Large*, Vol. VIII, p. 249.

<sup>96</sup> *United States Statutes at Large*, Vol. VIII, p. 360; Schafer's *A History of the Pacific Northwest*, pp. 92, 93.

<sup>97</sup> *United States Statutes at Large*, Vol. VIII, p. 304.



It was soon evident, however, that a definite boundary line separating the claims of the United States and Great Britain must be determined upon. Petitions from the Oregon colony asked Congress to extend the protection of the United States over it,<sup>98</sup> and in 1843 a meeting at Cham-poege adopted a code of laws for a temporary government which was to exist until the United States extended its jurisdiction over the colonists.<sup>99</sup> In 1845, the legislature elected under this extralegal government sent a memorial to Congress citing their grievances and praying for a Territorial government and for adequate military and naval protection.<sup>100</sup>

The "reoccupation" of Oregon, however, was another political issue of the campaign in 1844 and, under the administration of President James K. Polk whose party had demanded it, the question was definitely decided by a treaty concluded with Great Britain on June 15, 1846. This treaty provided for the continuation westward of the forty-ninth parallel of north latitude to the middle of the channel which separates the continent from Vancouver's Island, and thence southerly through the middle of this channel and of Fuca's Straits to the Pacific Ocean.<sup>101</sup>

The next great step in the expansion of the United States was preceded by a war. Immediately after the annexation of Texas, Mexico severed diplomatic relations with the United States. In September, 1845, President Polk sent John Slidell on his futile mission to Mexico to purchase a portion of California and that part of what is now New

<sup>98</sup> *The Congressional Globe*, 29th Congress, 1st Session, pp. 12, 53; Schafer's *A History of the Pacific Northwest*, pp. 158-162.

<sup>99</sup> Schafer's *A History of the Pacific Northwest*, pp. 161, 162; Bancroft's *History of Oregon*, Vol. I, pp. 303, 304; Bancroft's *History of the Northwest Coast*, Vol. II, pp. 133, 698.

<sup>100</sup> *The Congressional Globe*, 29th Congress, 1st Session, p. 24.

<sup>101</sup> *United States Statutes at Large*, Vol. IX, p. 869.

Mexico claimed by Texas, and to endeavor to get Mexico to accept the Rio Grande for the Texas boundary instead of the Nueces River.<sup>102</sup> In January, 1846, came the well-known order from Washington that General Zachary Taylor advance to the Rio Grande—the disputed district. This was followed on May 13, 1846, by the declaration of war with Mexico.<sup>103</sup>

The treaty of Guadalupe Hidalgo concluded with Mexico on February 2, 1848, provided that the boundary line should follow the Rio Grande to the southern boundary of New Mexico, thence westward and northward along that line to the first branch of the Gila River, along that river to the Rio Colorado, and thence along the division line between Upper and Lower California to the Pacific Ocean.<sup>104</sup> The Gadsden Purchase of 1853, which will be noted later, completed the stages of expansion west of the Mississippi River.

#### IV

#### THE ORGANIZATION OF OREGON, MINNESOTA, AND THE MEXICAN CESSION OF 1848-1850

All the vast area added to the United States between 1845 and 1848, with the exception of Texas, was unorganized and there was no governmental arrangement for it except the temporary governments in California and Oregon. Provision for the government of this territory was delayed by the dispute over the slavery question.

After the Whitman massacre in Oregon the need for the protection of the settlers there was so clearly evident that

<sup>102</sup> Garrison's *Westward Extension*, Ch. XIV; Rives's *The United States and Mexico, 1821-1848*, Vol. II, pp. 53-80.

<sup>103</sup> *The Congressional Globe*, 29th Congress, 1st Session, pp. 795, 817; *United States Statutes at Large*, Vol. IX, p. 9.

<sup>104</sup> *United States Statutes at Large*, Vol. IX, pp. 922, 926.

a bill to organize Oregon Territory passed Congress on August 14, 1848, in spite of the bitter opposition of the pro-slavery element. The Territory of Oregon, according to the statute, included all that part of the territory of the United States west of the summit of the Rocky Mountains and north of the forty-second degree of north latitude.<sup>105</sup> A glance at the map for the year 1848 will show that only a comparatively small portion of the territory west of the Mississippi was organized: there was Oregon Territory in the northwest, the State of Texas in the south, and the four States of Louisiana, Arkansas, Missouri, and Iowa bordering on the Mississippi River.

When Iowa Territory became a State in 1846 there was no provision for the remaining area north of the State of Iowa until 1849. Before the Territory of Wisconsin became a State in 1848, it was proposed by a convention that all of the remaining part of the Northwest Territory should be included in the new State. Some suggested the Rum River as the dividing line, while the St. Croix settlers advocated the Chippewa River, thus giving the new State of Wisconsin and the remaining portion of Iowa Territory equal areas. There were objections to the Rum River as the boundary line, however, because the Territory which was to be organized west of Wisconsin would not have a single point on the Mississippi River below the limit of steamboat navigation.<sup>106</sup>

On May 29, 1848, Wisconsin was admitted as a State, but the land between the St. Croix and the Mississippi rivers<sup>107</sup>

<sup>105</sup> Bancroft's *History of Oregon*, Vol. I, Ch. XXIII; Schafer's *A History of the Pacific Northwest*, p. 186; *United States Statutes at Large*, Vol. IX, p. 323.

<sup>106</sup> Winchell's *Minnesota's Eastern, Southern and Western Boundaries* in the *Collections of the Minnesota Historical Society*, Vol. X, Pt. II, pp. 678-687.

<sup>107</sup> *United States Statutes at Large*, Vol. IX, pp. 56, 233; Folwell's *A History of Minnesota*, Vol. I, p. 236.

was left unorganized politically. In March of the next year, the requests of settlers for the organization of a new Territory were granted by the creation of the Territory of Minnesota. The new Territory included the above mentioned delta in the eastern part and extended west to the Missouri and White Earth rivers, south to the State of Iowa, and north to the international boundary line.<sup>108</sup>

The famous compromise measures of January, 1850, provided for the organization of the amorphous area obtained from Mexico in 1848. Before the passage of these acts California, because of the chaotic conditions caused by the great influx of population in 1849, had taken steps to form a State government. Laws were needed to regulate the mining problems and for the suppression of the alarming increase of crime. In September, 1849, a convention met to form a State out of the unorganized territory.<sup>109</sup> After considerable discussion the eastern boundary was fixed on the meridian of one hundred and twenty degrees from the Oregon line to the parallel of thirty-nine degrees north latitude, running thence in a straight line southeasterly to the intersection of the Colorado River with the parallel of thirty-five degrees, and thence down the middle of the river's channel to the boundary established between the United States and Mexico. Some of the delegates wanted a boundary farther east, but there were objections to this on the grounds that so large a free State might be unacceptable to the slavery members of Congress. After the constitution was ratified by the people, a delegation was sent to Washington to urge that the State of California be immediately admitted.<sup>110</sup> Henry Clay effected his compromise and Cali-

<sup>108</sup> *United States Statutes at Large*, Vol. IX, p. 403.

<sup>109</sup> Bancroft's *History of California*, Vol. VI, Chs. XII, XIII.

<sup>110</sup> Guinn's *How California Escaped State Division* in the *Publications of the Historical Society of Southern California*, Vol. VI, p. 226; Bancroft's *History of California*, Vol. VI, pp. 291, 296, 305, 342.

fornia was admitted to the Union on September 9, 1850.<sup>111</sup> The statute did not specify any boundaries.

Texas was much reduced in size by one of the compromise measures. The law provided that the boundary on the north should commence at the point at which the meridian of one hundred degrees west from Greenwich intersected the parallel of thirty-six degrees and thirty minutes north latitude and should run from this point due west to the meridian of one hundred and three degrees west from Greenwich, thence due south to the thirty-second degree of north latitude, along this parallel of thirty-two degrees north latitude to the Rio Bravo del Norte,<sup>112</sup> and thence with the channel of this river to the Gulf of Mexico. Texas ceded to the United States all claims to the territory exterior to these limits. This included the panhandle to the north and the region between the Rio Grande and the meridian of one hundred and three degrees. In compensation for the district between the Rio Grande and the meridian of one hundred and three degrees the United States assumed the debt of Texas.<sup>113</sup>

New Mexico had also become impatient while waiting for action by Congress. Contrary to the advice of the President, Senator Thomas H. Benton counselled the inhabitants there to meet in a convention and provide for a simple form of government. A convention was therefore held on October 10, 1848, and a petition was sent to Congress asking for Territorial civil government and protesting against dismemberment in favor of Texas. A later convention, in 1850, framed a constitution for the State of

<sup>111</sup> *United States Statutes at Large*, Vol. IX, p. 452.

<sup>112</sup> The Rio Grande River.

<sup>113</sup> *United States Statutes at Large*, Vol. IX, p. 446, Vol. XI, p. 310. Recently the citizens of west Texas threatened to organize a State.—*Columbus Evening Dispatch*, April 2, 1921.

New Mexico and fixed the meridians of one hundred degrees and one hundred and eleven degrees as the eastern and western boundaries. By order of the Military Governor this constitution was submitted to the people but after it had been adopted the Governor insisted that the State government had no legal existence until New Mexico should be admitted into the Union by the Congress of the United States.<sup>114</sup>

By an act of Congress, New Mexico was divided at the parallel of thirty-seven degrees north latitude. The northern half was designated the Territory of Utah and the southern part the Territory of New Mexico. The latter was bounded on the south by the Mexican boundary to the Rio Grande, thence it followed the Rio Grande to the parallel of thirty-two degrees north latitude and east on that parallel to the meridian of one hundred and three degrees; on the east by that meridian north to the parallel of thirty-eight degrees north latitude; on the north by that parallel to the summit of the Sierra Madre, thence south to the parallel of thirty-seven degrees north latitude and along that line to the boundary line of California, by which New Mexico was bounded on the west.<sup>115</sup>

Like the other portions of the Mexican cession, the area which later received the title of the Territory of Utah had a provisional government first. The Mormons under Brigham Young wanted an independent State government rather than a Territorial government under the Federal authorities. Early in 1849 a convention of the inhabitants living east of the Sierra Nevada Mountains was held at

<sup>114</sup> *The Congressional Globe*, 31st Congress, 1st Session, Pt. II, p. 1808; Bancroft's *History of Arizona and New Mexico*, pp. 447, 448; Prince's *A Concise History of New Mexico*, p. 186; Bancroft's *History of Texas*, Vol. II, pp. 400, 401; Twitchell's *The Leading Facts of New Mexican History*, Vol. II, pp. 267, 268, 271, 272.

<sup>115</sup> *United States Statutes at Large*, Vol. IX, pp. 447, 453, Vol. XI, p. 793.

Salt Lake City. The outcome was a provisional government organized under the name of the State of Deseret. An immense tract of land was claimed for this State. Starting at the intersection of the thirty-third degree of north latitude with the one hundred and eighth degree of longitude the boundary line was to run down to the Mexican border, then west along the border of Lower California to the Pacific Ocean, up the coast to one hundred and eighteen degrees and thirty minutes west longitude, north to the dividing ridge of the Sierra Nevadas, and along their summit to the divide between the Columbia River and the Salt Lake Basin, and thence south along the dividing range of mountains that separate the waters flowing into the Gulf of Mexico from the waters flowing into the Gulf of California to the place of beginning.<sup>116</sup> The general assembly sent a memorial to Congress in July setting forth the failure of that body to provide any form of government for them, and asking for the admission of the State of Deseret into the Union.<sup>117</sup>

The same year the Californians framed a government for themselves, and an effort was made to secure the temporary amalgamation of California and Deseret, because the people of the latter had not excluded slavery by their constitution. Besides, Utah had an insufficient population for a State and its people were perhaps afraid that California would be admitted first with boundaries that would cut them off from the coast. This combined State was to include all the territory obtained from Mexico exclusive of Texas. In 1851 it was to be dissolved and the inhabitants were to be allowed to determine to which State they pre-

<sup>116</sup> Baneroft's *History of Utah*, pp. 440, 441.

<sup>117</sup> Baneroft's *History of Utah*, pp. 440, 444; Linn's *The Story of the Mormons*, pp. 429, 430; Cannon and Knapp's *Brigham Young and His Mormon Empire*, Ch. XXI; *The Congressional Globe*, 31st Congress, 1st Session, Pt. I, pp. 86, 94, 211.

ferred to belong. A memorial in favor of this plan was presented to California but the government there condemned the proposition because the two communities were too far apart.<sup>118</sup>

On September 9, 1850, the act for the organization of the Territory of Utah was signed. The boundaries of the State of Deseret had been reduced so that Utah was bounded on the west by the State of California, on the north by the Territory of Oregon, on the east by the summit of the Rocky Mountains, and on the south by the parallel of thirty-seven degrees north latitude.<sup>119</sup>

## V

### BOUNDARY CHANGES IN THE FIFTIES

In the Territory of Oregon events were taking place which led to the division of the Territory and the formation of the Territory of Washington. The settlers in the northern counties felt themselves poorly represented in the Oregon legislature, which they claimed had little interest in the welfare of Puget Sound. The first definite movement made in the direction of a new Territory was on the Fourth of July, 1851, when the Americans near Puget Sound met at Olympia to celebrate. J. B. Chapman, the orator of the occasion, referred in his speech to the "future state of Columbia". This was followed by a convention at Cowlitz Landing on the twenty-ninth of August of representatives from all the election precincts north of the Columbia River for the purpose of appealing to Congress for a division of the Territory. Congress, however, took little notice of the memorial.<sup>120</sup>

<sup>118</sup> Bancroft's *History of Utah*, pp. 446, 447; Bancroft's *History of California*, Vol. VI, pp. 325, 326.

<sup>119</sup> *United States Statutes at Large*, Vol. IX, p. 453.

<sup>120</sup> Bancroft's *History of Washington, Idaho, and Montana*, pp. 31-51; Meany's *History of the State of Washington*, pp. 155, 156; Schafer's *A His-*



As a means to the desired end, "The Columbian", a weekly newspaper, was established at Olympia in September, 1852. In October a convention at Monticello framed another petition to Congress asking for a separate Territory to be called Columbia, to be bounded on the south and east by the Columbia River. The delegates argued that the area of Oregon was too large to be embraced within the limits of one State; that those portions of the undivided Territory lying north and south of the Columbia River must, from their geographical positions, become rivals in commerce; that the southern portion, having the greatest number of votes, controlled the legislature, and therefore the disposition of the congressional appropriations; that the seat of government was too far distant from them; and that northern Oregon possessed great natural resources, and an already large population, which would be greatly increased as a separate Territory. Since the northern and southern portions had diverse commercial interests and were at such a great distance from each other, the Oregon legislature was in favor of the organization of a separate Territory. Some contended, however, that Oregon should include Puget Sound and all the country west of the Cascade Mountains, while the country east of that range should form a new Territory.<sup>121</sup>

The bill for the organization of the Territory of Columbia was under consideration in February, 1853.<sup>122</sup> According to a memorial the new Territory was to embrace all that part of Oregon Territory lying north of the Columbia River and west of its great northern branch, but during the

*tory of the Pacific Northwest*, pp. 211, 212; *The Congressional Globe*, 32nd Congress, 1st Session, p. 597.

<sup>121</sup> Bancroft's *History of Washington, Idaho, and Montana*, pp. 51-53, 59, 60; Meany's *History of the State of Washington*, p. 156.

<sup>122</sup> Meany's *History of the State of Washington*, p. 157.

consideration the southern boundary was changed to run along the Columbia River to its intersection with the parallel of forty-six degrees north latitude, near Fort Walla Walla, and thence with the said parallel to the summit of the Rocky Mountains. The change in the boundaries increased the area. R. H. Stanton of Kentucky said that as we already had a Territory [District] of Columbia, and no State bearing the name of the "Father of his Country", he would like to see the name of the new Territory changed to Washington. This change was agreed to and the Territory of Washington was created on March 2, 1853.<sup>123</sup>

About this time Senator Stephen A. Douglas was trying to secure the passage of his Kansas-Nebraska Bill which would repeal the Missouri Compromise. The unorganized territory west of Missouri and Iowa had become more important after the rapid settlement of the Oregon country and the organization of this Indian territory was necessary to make an open road from the northern States to the Pacific.

Beginning with one in 1844 by Senator Douglas, many bills were introduced to organize a Territory of Nebraska.<sup>124</sup> In December, 1853, Senator Dodge introduced such a bill but Douglas, who was chairman of the Committee on Territories, amended it to provide for two Territories instead of one and included the popular sovereignty feature. The southern boundary was also changed from thirty-six degrees and thirty minutes to thirty-seven degrees north latitude. This change was made in order that the Cherokee nation would not be divided.<sup>125</sup> With these

<sup>123</sup> *The Congressional Globe*, 32nd Congress, 2nd Session, pp. 541, 542; *United States Statutes at Large*, Vol. X, pp. 172-179.

<sup>124</sup> For a summary of these bills see Gittinger's *The Separation of Nebraska and Kansas from the Indian Territory in The Mississippi Valley Historical Review*, Vol. III, pp. 442-461.

<sup>125</sup> *The Congressional Globe*, 33rd Congress, 1st Session, pp. 221, 222.

provisions the bill was signed by the President on May 30, 1854.

The statute provided boundaries which gave the Territory of Nebraska an enormous area. It was bounded on the south by the parallel of forty degrees north latitude, on the west by the summit of the Rocky Mountains, on the north by the parallel of forty-nine degrees, and on the east by the Territory of Minnesota.<sup>126</sup> This Territory included the area of the present Montana and parts of Wyoming, North and South Dakota, Nebraska, and Colorado.

The Territory of Kansas was considerably smaller, and included only the present State of Kansas and a part of Colorado. It was bounded by the parallel of thirty-seven degrees north latitude, the north and eastern boundary of New Mexico, the summit of the Rocky Mountains, the parallel of forty degrees, and the western boundary of Missouri.<sup>127</sup>

The territory included in the Gadsden Purchase was incorporated in the Territory of New Mexico.<sup>128</sup> This changed the southern limit of New Mexico to a boundary which followed the Rio Grande from the former southern boundary to the parallel of thirty-one degrees and forty-seven minutes north latitude, thence due west one hundred miles, south to the parallel of thirty-one degrees and twenty minutes north latitude, along the said parallel of thirty-one degrees and twenty minutes to the one hundred and eleventh meridian of longitude west of Greenwich, thence in a straight line to a point in the Colorado River twenty English miles below the junction of the Gila and Colorado rivers, thence up the middle of the Colorado River until it

<sup>126</sup> *United States Statutes at Large*, Vol. X, p. 277.

<sup>127</sup> *United States Statutes at Large*, Vol. X, pp. 283, 284.

<sup>128</sup> *United States Statutes at Large*, Vol. X, p. 575.

intersected the boundary line fixed by Mexico and the United States between Upper and Lower California.<sup>129</sup>

No further boundary changes took place until the reduction of the Territory of Minnesota in 1858 at the time of its admission as a State. In December, 1856, the Territorial delegate from Minnesota introduced a bill to authorize the people to form a constitution and a State government. The western boundary suggested in the bill was the Red River of the North and the Big Sioux River. In January, 1857, the chairman of the Committee on Territories reported a substitute line through Traverse and Big Stone lakes due south to the Iowa line, thereby reducing Minnesota to its present boundary. There was a little pleasantry about the formation of a sixth State, created in part out of the old Northwest Territory, while the Ordinance of 1787 had provided for only five.<sup>130</sup>

The enabling act of Minnesota passed on February 26, 1857, providing that the new State should be bounded on the south by Iowa, on the east by Wisconsin and Michigan, on the north by the international boundary line, and on the west by the Red River of the North, the Boix des Sioux River, Lake Traverse, and Big Stone Lake, and a line due south to the northern boundary of Iowa.<sup>131</sup> A few years later Senator Henry M. Rice proposed the extension of the jurisdiction of Minnesota to embrace the proposed Territory of Dakota and the portion of Nebraska lying north of latitude forty-three degrees. His proposal met with no support and no action was taken.<sup>132</sup>

<sup>129</sup> *United States Statutes at Large*, Vol. X, p. 1032, Vol. XI, p. 793.

<sup>130</sup> Polwell's *Minnesota: The North Star State*, pp. 133-158; Winchell's *Minnesota's Eastern, Southern and Western Boundaries in the Collections of the Minnesota Historical Society*, Vol. X, Pt. II, pp. 685, 686.

<sup>131</sup> *United States Statutes at Large*, Vol. XI, pp. 166, 285.

<sup>132</sup> *Senate Miscellaneous Documents*, 36th Congress, 2nd Session, No. 11.

In the fifties there were also several attempts to divide California. In 1859 a bill setting off six southern counties for a separate Territorial government passed both houses of the State legislature and was approved by the Governor. The people concerned voted in favor of it, and the results were sent to Washington. Since Congress was involved in the secession question, however, the matter was not considered. In 1881 an effort was made to resurrect it. Los Angeles wanted to be the capital and to monopolize the offices, but the other counties could not see how they would be benefited and the division failed. As late as 1888 such a bill was introduced in Congress, but nothing came of it: the necessity for division no longer existed for the south with its increased population and wealth was able to hold its own against northern California.<sup>133</sup>

The eighth State admitted to the Union out of the Trans-Mississippi region was Oregon in 1859. After the failure of several bills in Congress for this purpose, the legislature of Oregon Territory provided for a constitutional convention. The people ratified the State constitution framed by the delegates and the State government went into operation in July, 1858, although Oregon was not formally admitted to the Union until February 14, 1859.<sup>134</sup> The State of Oregon embraced an area considerably smaller than that of the Territory. The eastern boundary followed the Shoshone or Snake River to the mouth of the Owyhee River, thence due south to the parallel of forty-two degrees north latitude. The remaining portion of Oregon Territory was considered as a part of Washington Territory until 1863 when Idaho Territory was organized.<sup>135</sup>

<sup>133</sup> Guinn's *How California Escaped State Division* in the *Publications of the Historical Society of Southern California*, Vol. VI, pp. 229, 230, 231.

<sup>134</sup> Schafer's *A History of the Pacific Northwest*, p. 218.

<sup>135</sup> *United States Statutes at Large*, Vol. XI, p. 383.

## VI

## BOUNDARY CHANGES IN THE SIXTIES

The decade of the sixties brought many changes in the western part of the United States. Kansas was admitted as a State in 1861 and the three new Territories of Nevada, Colorado, and Dakota appeared the same year. Two more Territories — Arizona and Idaho — were organized in 1863. These were followed in 1864 by the creation of the Territory of Montana and the admission of Nevada as a State. Nebraska became a State in 1867 and the Territory of Wyoming appeared in 1868. With the formation of these Territories and States went many boundary changes with their corresponding disputes, but for the most part the new States retained the boundaries they had as Territories.

The struggle for Kansas between the free State and slave State factions began in the fifties and because of the slavery question Kansas did not acquire statehood until 1861. Before this efforts had been made by the Territory of Nebraska to give up part of its Territory to the Territory of Kansas. In 1856, the Territorial legislature of Nebraska memorialized Congress to annex to Kansas Territory all that portion of Nebraska south of the Platte River, because the latter was a natural boundary line — difficult to ford, ferry, or bridge. Moreover it was thought that such a move would effectually prevent the establishment of slavery in either of the Territories. The bill was postponed, and in 1859 Congress was again memorialized to incorporate the country south of the Platte River into the proposed State of Kansas. The territory, however, was refused by the Kansas constitutional convention of 1859 because this part of Nebraska was Democratic, and if it were annexed it would make Kansas a Democratic State.

Then Lawrence and Topeka both aspired to be the capital, and they feared that the addition of this territory would throw the center of population north of the Kansas River.<sup>136</sup>

Consequently the boundaries of the State of Kansas remained as they were except for the western boundary: this was changed so that the Territory of Colorado might be formed. By the act of January 29, 1861, Kansas was bounded by the western boundary of the State of Missouri on the east, by the parallel of thirty-seven degrees on the south, by the twenty-fifth meridian of longitude west from Washington on the west, and on the north by the parallel of forty degrees north latitude.<sup>137</sup>

It was about this time that the Jefferson Territory project developed. In November, 1858, a few miners then living in Denver attended a meeting to erect a new government for the Pike's Peak country. A delegate was elected and sent to Congress to ask for the setting apart of the Territory of Jefferson. A bill for this purpose was introduced in the House of Representatives by A. J. Stephens,<sup>138</sup> but slavery consideration forbade Territorial legislation and the Pike's Peak country was left without a legal government.

Feeling the imperative necessity for an immediate government, representatives of neighboring mining camps met in Denver, in April, 1859. They believed that the large population demanded more than a Territorial government and as a result a constitutional convention assembled in

<sup>136</sup> Martin's *Kansas-Nebraska Boundary Line* in the *Collections of the Nebraska State Historical Society*, Vol. XVI, pp. 115-131. This article also indicates the desire of Kansas City, Missouri, to be annexed to the State of Kansas in 1879.

<sup>137</sup> *United States Statutes at Large*, Vol. XII, pp. 126, 127.

<sup>138</sup> *The Congressional Globe*, 36th Congress, 1st Session, pp. 841, 871; Paxson's *The Territory of Colorado* in *The American Historical Review*, Vol. XII, pp. 56, 57.

Denver to frame a constitution for a new State to be called Jefferson. The boundaries of the prospective State embraced the area limited by the one hundred and second and the one hundred and tenth meridians, and the thirty-seventh and the forty-third parallels. This area included the present State of Colorado and large portions of Utah, Nebraska, and Wyoming.

Since the height of the gold boom was over, one faction advocated immediate statehood, while the other preferred Territorial government with the Federal treasury to meet the bills. A rather odd compromise was made by preparing the way for either development. A State constitution was drawn up, but a memorial to Congress was also framed asking for a Territorial government. The two propositions were then submitted to a popular vote on September 5, 1859, and the memorial was chosen instead of the constitution.

Pending the action of Congress, the advocates of immediate government held a mass meeting in Denver on September 24, 1859, which resulted in a convention held in October. In this convention the boundaries of April 15th were retained for the new Territory of Jefferson. Soon afterwards a Territorial legislature and executive staff were elected. This provisional government encountered many difficulties, partly due to the refusal of the people to pay taxes to an extralegal government, and partly due to the conflicting claims of the four Territories — Utah, New Mexico, Kansas, and Nebraska — in the territory claimed for Jefferson.<sup>139</sup>

On February 20, 1860, Congress received from President Buchanan a message transmitting the petition from the Pike's Peak country.<sup>140</sup> Although bills for the erection of

<sup>139</sup> Paxson's *The Territory of Colorado in The American Historical Review*, Vol. XII, pp. 56-64.

<sup>140</sup> Richardson's *Messages and Papers of the Presidents*, Vol. V, pp. 580, 581; *The Congressional Globe*, 36th Congress, 1st Session, pp. 841, 871.



a new Territory were considered,<sup>141</sup> nothing definite was done until after Kansas was admitted. By this time the pro-slavery opposition had largely disappeared. The new Territory, created by a law passed on February 28, 1861, was given the name Colorado. Idaho was at one time substituted for Colorado but the name of Colorado was finally decided upon on February 4th.<sup>142</sup>

The act of February 28, 1861, creating the Territory of Colorado materially cut down the limits of the provisional government. Two degrees of latitude were taken from the north of the Territory and one degree of longitude from the west of it. The new Territory was bounded by the parallel of thirty-seven degrees north latitude on the south, by the meridian of thirty-two degrees west from Washington on the west, by the parallel of forty-one degrees on the north, and by the twenty-fifth meridian west from Washington on the east.<sup>143</sup> By the creation of the Territory of Colorado, the surrounding Territories were reduced in size. The Territory of New Mexico lost her northeastern panhandle; the Territory of Utah lost a considerable portion of her eastern territory; and Nebraska Territory gave up a strip in the southwest.

In March of the same year the Territory of Utah was further reduced by the organization of the Territory of Nevada. Beginning with 1851 there had been several attempts to erect a separate Territorial government in western Utah. In November, 1851, the few settlers of that region sent a petition to Congress asking for a Territorial government. Two years later the citizens of Carson Valley

<sup>141</sup> *The Congressional Globe*, 36th Congress, 1st Session, pp. 2047, 2066, 36th Congress 2nd Session, pp. 639-644.

<sup>142</sup> *The Congressional Globe*, 36th Congress, 2nd Session, pp. 639-644, 728, 729, 763, 764; Bancroft's *History of Nevada, Colorado, and Wyoming*, pp. 412, 413.

<sup>143</sup> *United States Statutes at Large*, Vol. XII, p. 172.

petitioned the legislature of California that their territory be annexed to that State for judicial purposes until Congress should otherwise provide. In 1856, a similar petition was made, and the California legislature asked Congress to make the one hundred and eighteenth meridian the eastern boundary of California but the request was not granted.<sup>144</sup>

A little later the occupants of Carson Valley petitioned Congress for a Territorial government for the region bounded by the Goose Creek Mountains on the east, the Colorado River on the south, Oregon on the north, and the Sierra Nevada Mountains on the west. Another memorial framed in August stated that no law existed in western Utah except the theocratic rule exercised by the Mormon Church which was without reference to statutory regulation. These memorials were received favorably in Congress, but when another Governor was appointed for Utah Territory in place of Brigham Young the demand for the creation of another Territory was not so imperative.<sup>145</sup>

In 1859 another effort for a separate governmental organization resulted in the framing of a constitution which was adopted by the people. The boundaries provided by this constitution commenced at a point on the Sierra Nevada Mountains where the parallel of forty-two degrees touches their summit, then followed the crest of the mountains south to the parallel of thirty-five degrees, thence east on that line to the Colorado River, thence up that stream to the mouth of the Rio Virgin, ascending the latter to its junction with the Muddy River and thence due north to the Oregon line.<sup>146</sup>

Two years later, on March 2, 1861, a bill passed creating

<sup>144</sup> Bancroft's *History of Nevada, Colorado, and Wyoming*, pp. 69, 72-78; *The Congressional Globe*, 34th Congress, 1st Session, Pt. I, p. 1089.

<sup>145</sup> Bancroft's *History of Nevada, Colorado, and Wyoming*, pp. 82-84.

<sup>146</sup> Bancroft's *History of Nevada, Colorado, and Wyoming*, p. 150.

the Territory of Nevada, but the boundaries of the organic act included a smaller area than those suggested in 1859. As provided by this act, the Territory of Nevada was bounded on the east by the meridian of thirty-nine degrees west from Washington, on the south by the northern boundary of the Territory of New Mexico; on the west by the dividing ridge separating the waters of Carson Valley from those that flow into the Pacific Ocean, thence on said dividing ridge northwardly to the parallel of forty-one degrees north latitude, thence due north to the southern boundary line of the State of Oregon, and on the north by the parallel of forty-two degrees north latitude.<sup>147</sup> Several changes, which will be noted later, were to take place in the boundaries of Nevada before it reached its present extent.

The boundary between the State of California and Utah Territory had always been in dispute, since it had never been definitely surveyed. In 1856, the Mormon residents claimed Carson Valley as a part of Utah, while other settlers contended that they were residents of California. The California legislature sent several requests to Washington urging the appointment of a boundary commission but nothing was done until the year 1860, when Congress passed an act authorizing the appointment of such a commission.<sup>148</sup>

The development of the Comstock mines gave additional importance to the subject. The California Governor in his message to the legislature in January, 1861, recommended that Congress be memorialized to extend the boundary of California to the one hundred and eighteenth degree of longitude. The legislature of California provided for the election of a commissioner to coöperate with the United States commissioner in determining the eastern limit of the

<sup>147</sup> *United States Statutes at Large*, Vol. XII, pp. 209, 210.

<sup>148</sup> Bancroft's *History of Nevada, Colorado, and Wyoming*, pp. 151-153; *United States Statutes at Large*, Vol. XII, p. 22.

State. Just previous to this the Territory of Nevada was organized with its indefinite boundary.<sup>149</sup> Since nothing had been accomplished toward determining the boundary, the Territorial government of Nevada sent two commissioners to California to request the assembly there to transfer to Nevada all that portion of their State lying east of the summits of the Sierra Nevada Mountains. Nothing came of the visit, however, beyond a conference.<sup>150</sup>

With the increase of population it was important that the boundary between California and Nevada Territory be settled so that it might be decided which government had jurisdiction over the area in question. The Governor of California appointed a commissioner to confer with the authorities in Nevada upon the means of arriving at a solution of the dispute, but the commissioner was instructed not to consent to the summit boundary. This conference resulted in an agreement that a commissioner be appointed from California and another from Nevada to establish a permanent boundary. A line running through the eastern end of Honey Lake was to be regarded as the temporary boundary, together with a line running south from Lake Tahoe to "below Esmeralda" as previously determined by Nevada surveyors. In 1863 the joint commission proceeded to establish a permanent boundary line beginning at Lake Tahoe, running north to the Oregon boundary, and south-east to the New Mexican line. The work of the commission was accepted by both the California and Nevada legislatures and this put an end to their conflicting claims.<sup>151</sup>

On July 14, 1862, Congress had attempted to satisfy the

<sup>149</sup> *United States Statutes at Large*, Vol. XII, p. 209; Bancroft's *History of Nevada, Colorado, and Wyoming*, p. 153.

<sup>150</sup> Bancroft's *History of Nevada, Colorado, and Wyoming*, p. 154.

<sup>151</sup> Bancroft's *History of Nevada, Colorado, and Wyoming*, pp. 154-157. In the seventies there was some agitation because of doubt as to the correctness of the boundary survey.

Territory of Nevada by adding a degree of longitude on the east to that Territory. By this act the eastern limit was extended to the meridian of thirty-eight degrees west from Washington.<sup>152</sup>

On the same day — March 2, 1861 — that the Territory of Nevada was created, Congress passed an act for the organization of the Territory of Dakota. A bill for this purpose had been introduced in 1859 at the time of the Jefferson Territory project,<sup>153</sup> but like many other Territorial suggestions it was dropped because of the slavery debate.

The new Territory established by the act of March 2, 1861, included all that portion of Nebraska Territory north of a boundary which started at the point of intersection between the Big Sioux and Missouri rivers, thence up the Missouri River to the mouth of the Niobrara River, thence following that river to the mouth of the Keya Paha River, up that river to the parallel of forty-three degrees north latitude, and due west to the boundary of the Territory of Washington. These portions of Utah and Washington Territories between the parallels of forty-one and forty-three degrees of north latitude and east of the meridian of thirty-three degrees west from Washington were incorporated into the Territory of Nebraska.<sup>154</sup>

In 1863 the Territory of Arizona appeared on the map in the southwestern part of the United States. A convention held in 1856 at Tucson had sent a memorial to Congress urging the organization of a separate Territory in the western part of the Territory of New Mexico, but the Committee on Territories reported against a Territorial organization because of the limited population. President Buchanan in

<sup>152</sup> *United States Statutes at Large*, Vol. XII, p. 575.

<sup>153</sup> *The Congressional Globe*, 35th Congress, 2nd Session, pp. 69, 877.

<sup>154</sup> *United States Statutes at Large*, Vol. XII, pp. 239, 244.

his message of 1857 recommended a Territorial government and Senator William M. Gwin introduced a bill to organize such a government for the Gadsden Purchase under the name of Arizona. The Territorial legislature of New Mexico also passed resolutions in favor of the project, but it recommended a north and south boundary line on the meridian of one hundred and nine degrees.<sup>155</sup>

Because of the political organization of Arizona by the Confederates and because of the discovery of gold in large quantities in that section, Congress passed a law on February 24, 1863, organizing the Territory of Arizona west of the meridian of one hundred and nine degrees longitude, in spite of the fact that the population was limited and was composed of many Mexicans and half-breeds. The line selected was the extension of the western boundary of Colorado Territory.<sup>156</sup>

With the discovery of rich gold fields near the Clearwater and Salmon rivers, the eastern part of Washington Territory had developed rapidly and demanded a separate government. The Territorial legislature of Washington opposed this plan; but Congress, to which petitions appealed directly, regarded the matter more favorably and on March 3, 1863, an act organizing the Territory of Idaho was approved.<sup>157</sup> The new Territory was created out of portions of the Territories of Washington, Dakota, and Nebraska and included the area in the present States of Idaho, Montana, and Wyoming, except the southwestern corner of the latter. It was bounded on the west by the

<sup>155</sup> Bancroft's *History of Arizona and New Mexico*, pp. 504, 505; Richardson's *Messages and Papers of the Presidents*, Vol. V, p. 456; *The Congressional Globe*, 35th Congress, 1st Session, pp. 13, 62, 1531, 3042.

<sup>156</sup> *United States Statutes at Large*, Vol. XII, p. 664; Farish's *History of Arizona*, p. 1321.

<sup>157</sup> Bancroft's *History of Washington, Idaho, and Montana*, pp. 234-263, 393.

eastern boundary of Oregon, then by the Snake River to the mouth of Clear Water River, thence due north to the parallel of forty-nine degrees north latitude; on the north by the forty-ninth parallel; on the east by the meridian of twenty-seven degrees west of Washington; and on the south by the northern boundary of the Territory of Colorado to the meridian of thirty-three degrees west of Washington, thence north to the parallel of forty-two degrees and thence west to the eastern boundary of the State of Oregon.<sup>158</sup>

In October, 1864, the Territory of Nevada became a State and her eastern boundary was extended to the meridian of thirty-eight degrees west from Washington. In her constitution Nevada intimated her desire for an additional degree of longitude on her eastern border and this was granted by Congress in 1866 together with a portion of Arizona Territory north of the Colorado River.<sup>159</sup> There were objections made to the latter territory, because it was considered worthless, but the legislature formally accepted the extension in January, 1867. Not yet satisfied, the new State in 1871 made a request that the southern part of Idaho be added to it and again memorialized the California assembly for a portion of eastern California. Neither of these efforts met with approval.<sup>160</sup>

In May, 1864, the Territory of Montana was organized out of the northeastern part of the Territory of Idaho and the portion of the Territory of Idaho included in most of present Wyoming was temporarily reattached to the Territory of Dakota. According to the act of May 26, 1864, Montana Territory was limited on the south by the parallel of forty-five degrees north latitude to the meridian of thirty-four degrees west of Washington, thence due south

<sup>158</sup> *United States Statutes at Large*, Vol. XII, pp. 808, 809.

<sup>159</sup> *United States Statutes at Large*, Vol. XIII, pp. 30, 749, Vol. XIV, p. 43.

<sup>160</sup> Baneroft's *History of Nevada, Colorado, and Wyoming*, pp. 155, 156.

along said meridian to its intersection with the parallel of forty-four degrees and thirty minutes north latitude, and due west along the said parallel to the crest of the Rocky Mountains; on the west by the crests of the Rocky and Bitter Root mountains and thence north along the meridian of thirty-nine degrees west of Washington; on the north by the boundary line of Canada; and on the east by the meridian of twenty-seven degrees west of Washington.<sup>161</sup>

Much dissatisfaction was felt by the inhabitants of this region concerning the manner in which it had been partitioned off into Territories. The people of the Idaho panhandle felt their isolation and want of a community of interest with the southern counties of Idaho Territory. This feeling was emphasized when the capital was removed from Lewiston to Boise City soon after the creation of Montana Territory. The people in the north desired the reannexation of the northern part of Idaho Territory to Washington Territory; the latter was equally desirous of recovering its lost territory. The Idaho legislature of 1865-1866 sent a memorial to Congress asking that the portion of the Territory lying south of the Salmon River Mountains might dissolve connection with the panhandle and receive instead as much of Utah as lay north of the parallel of forty-one degrees and thirty minutes, while the western portion of Montana, the northern part of Idaho, and the eastern part of Washington should constitute the Territory of Columbia. A convention assembled in 1866 at Helena, however, prepared a memorial to Congress requesting that this measure be not adopted and, upon reflection, southern Idaho also decided against division.<sup>162</sup>

<sup>161</sup> *United States Statutes at Large*, Vol. XIII, p. 85, Vol. XVIII, p. 464; Baneroft's *History of Washington, Idaho, and Montana*, pp. 642, 643.

<sup>162</sup> Baneroft's *History of Washington, Idaho, and Montana*, pp. 464, 475, 649.



Idaho also protested against another proposition to annex part of southern Idaho to Nevada, made by the legislature of Nevada about 1869, and it was rejected by Congress. About a year later a few of the citizens of northern Utah petitioned to have that portion of Utah north of the parallel of forty-one degrees — a continuation of the northern boundary of Colorado — annexed to Idaho because they were out of sympathy with the Mormons. When the boundary line between Idaho and Utah was surveyed in 1871 it was found that several large settlements which had previously paid taxes in Utah were over the line in Idaho.<sup>163</sup>

At the same time there was another example of this general feeling of dissatisfaction with the boundaries in the northwest. Many of the citizens of Oregon felt that the Snake River should be the northern as well as the eastern boundary of their State. The Territory of Washington, however, was positive that it would never give up this district which included the Walla Walla Valley.<sup>164</sup>

In 1873 the proposition to reunite northern Idaho to Washington was revived and many different suggestions for new boundaries were proposed. A constitution, framed by a convention in 1878 in Washington Territory, provided for a State which would have included all of Idaho north of the parallel of forty-five degrees north latitude. Washington Territory, however, did not acquire statehood until 1889 and then her boundaries remained unchanged.<sup>165</sup>

None of these suggestions for the redivision of the northwest have ever been carried out, but the movement for the

<sup>163</sup> Bancroft's *History of Washington, Idaho, and Montana*, pp. 476, 477.

<sup>164</sup> *The Congressional Globe*, 41st Congress, 3rd Session, p. 966; Bancroft's *History of Washington, Idaho, and Montana*, p. 476.

<sup>165</sup> Meany's *History of the State of Washington*, pp. 266, 267.

secession of northern Idaho has continued down to the present.<sup>166</sup>

When the Territory of Idaho was created in 1863, the boundaries of the Nebraska Territory were reduced almost to those that the State of Nebraska has to-day. In February, 1867, Nebraska was admitted with the limits that it had had since 1863. The boundaries, as stated in the enabling act of 1864, limited Nebraska on the south by the fortieth degree of north latitude to the twenty-fifth degree of longitude west from Washington, then north to the forty-first degree of north latitude and due west on that parallel; on the west by the twenty-seventh degree of longitude west from Washington; on the north by the forty-third degree of north latitude to the Keya Paha River, thence down that river to its junction with the Niobrara River, and following the latter to its junction with the Missouri River; and on the east by the Missouri River.<sup>167</sup> A slight change in the northern boundary line, which will be noted later, was made in 1882 giving the State of Nebraska the boundaries that it now possesses.

In 1864 most of present Wyoming had been reattached to the Territory of Dakota,<sup>168</sup> but it was given no local government. With the spread of population into that section, a need for government and law to take the place of the vigilance committees was felt. After receiving a memorial from Dakota asking for the organization of a new Territory in southwestern Dakota and a petition signed by the agent

<sup>166</sup> In 1907 there was a movement to create a State of Lincoln which would have embraced portions of Washington, Idaho, and Oregon.—Meany's *History of the State of Washington*, p. 267. On February 16, 1921, a resolution was introduced in the senate of the Idaho legislature, virtually asking permission for ten counties of Idaho to secede from the State.—*Colorado Evening Dispatch*, February 16, 1921.

<sup>167</sup> *United States Statutes at Large*, Vol. XIII, p. 47, Vol. XIV, p. 391.

<sup>168</sup> *United States Statutes at Large*, Vol. XIII, p. 92.

for the people of Wyoming, Congress organized the Territory of Wyoming in 1868.<sup>169</sup>

The new Territory was bounded by the twenty-seventh meridian of longitude west from Washington on the east, by the thirty-fourth meridian of longitude west from Washington on the west, and by the parallel of forty-one degrees north latitude on the south.<sup>170</sup> This western boundary took in the northeast corner of the Territory of Utah and a portion of southwestern Idaho.

## VII

### BOUNDARY CHANGES, 1870-1912

At the close of the decade ending in 1870 there were eleven States and ten Territories west of the Mississippi River and before the close of the nineteenth century eight of the ten Territories attained statehood, and in addition the Territory of Oklahoma appeared on the map.

The first of these Territories to acquire statehood was Colorado. On March 21, 1864, Congress had passed an enabling act for the Territory of Colorado. The boundaries fixed by this act limited Colorado on the south by the thirty-seventh degree of north latitude; on the west by the thirty-second degree of longitude west from Washington; on the north by the forty-first degree of north latitude; and on the east by the twenty-fifth degree of longitude west from Washington.<sup>171</sup> The people in the Territory voted against accepting statehood under this act, partly because of an empty treasury. Several times in the next decade Congress considered bills to admit Colorado. Some of them passed Congress but were vetoed by the President on the ground

<sup>169</sup> Bancroft's *History of Nevada, Colorado, and Wyoming*, pp. 739, 740; Coutant's *The History of Wyoming*, Vol. I, pp. 621, 624.

<sup>170</sup> *United States Statutes at Large*, Vol. XV, p. 178.

<sup>171</sup> *United States Statutes at Large*, Vol. XIII, pp. 32-35.

that the population was not large enough to justify statehood.<sup>172</sup> Finally in 1875 Congress passed an enabling act which resulted in the admission of Colorado on August 1, 1876, by proclamation of President U. S. Grant.<sup>173</sup> The boundaries remained as they were.<sup>174</sup>

The next boundary change did not take place until 1882 when Nebraska was extended to include all that part of the Territory of Dakota lying south of the forty-third parallel of north latitude, east of the Keya Paha River, and west of the main channel of the Missouri River.<sup>175</sup> In 1879 a bill for this purpose was introduced in the Senate by Alvin Saunders, Senator from Nebraska, who said that the object of the bill was to straighten the line between Dakota and Nebraska. The line was not well defined because the Niobrara River changed its channel frequently. The bill passed the Senate but it had not been reported back from the committee in the House to which it was referred when the Forty-sixth Congress adjourned. In the first session of the Forty-seventh Congress, the bill passed both houses and was approved on March 28, 1882.<sup>176</sup>

The year 1889 brought the admission of four more Territories into the Union as States. On February of that year

<sup>172</sup> Bancroft's *History of Nevada, Colorado, and Wyoming*, pp. 430, 431, 432; Richardson's *Messages and Papers of the Presidents*, Vol. VI, pp. 413, 483-489.

<sup>173</sup> *United States Statutes at Large*, Vol. XVIII, Pt. 3, pp. 474-476, Vol. XIX, p. 665.

<sup>174</sup> There was a dispute between New Mexico and Colorado about 1868 because their common boundary line was not clearly defined, but the boundary remained unchanged.—Bancroft's *History of Nevada, Colorado, and Wyoming*, pp. 498-500.

<sup>175</sup> *United States Statutes at Large*, Vol. XXII, pp. 35, 36.

<sup>176</sup> Watkins's *Nebraska Territorial Acquisition* in *Collections of the Nebraska State Historical Society*, Vol. XVII, pp. 53-87; *The Congressional Record*, 47th Congress, 1st Session, Pt. I, pp. 745, 746, 861, Pt. II, p. 2007; *United States Statutes at Large*, Vol. XXII, pp. 35, 36.

Congress passed an enabling act for the Territories of Montana, Washington, and Dakota. This act provided for the division of the Territory of Dakota on the line of the seventh standard parallel produced due west to the western boundary. On November 2nd of the same year the two Dakotas were admitted into the Union. On November 8th and 11th respectively Montana and Washington were also proclaimed States.<sup>177</sup>

The area included in the present State of Oklahoma did not receive its political beginning until 1890. This region was known as the Indian country or Indian Territory, the latter name denoting especially the section of the Indian country that had been set aside for the eastern Indians.<sup>178</sup> In the act of June 30, 1834, relating to the management of Indian affairs, all the territory of the United States west of the Mississippi that was not included within the limits of a State or organized Territory was declared to be Indian country.<sup>179</sup> With the admission of successive States out of the Louisiana Purchase area the limits of the Indian country were gradually reduced until, as a result of the organization of the Territories of Nebraska and Kansas, the Indian Territory was confined to the area south of the thirty-seventh parallel.

In the same year — 1854 — Robert W. Johnson, Senator from Arkansas, introduced a bill for the organization of the country west of Arkansas. The bill provided for the organization of three Territories, Chahlahkee, Muscogee, and Chahta. As soon as the consent of the Indians could be secured, the three Territories were to be united into one

<sup>177</sup> *United States Statutes at Large*, Vol. XXV, p. 676, Vol. XXVI, pp. 1548-1553.

<sup>178</sup> Gittinger's *The Formation of the State of Oklahoma*, p. 70, in the *University of California Publications in History*, Vol. VI.

<sup>179</sup> *United States Statutes at Large*, Vol. IV, p. 735.

which was to be admitted into the Union as the State of Neosho.<sup>180</sup>

One of the Territories included the country enclosed by the meridians of one hundred degrees and one hundred and three degrees, and the parallels of thirty-six degrees and thirty minutes, and thirty-seven degrees. This part of the present Oklahoma lay beyond the Louisiana Purchase and became a part of the United States at the time of the annexation of Texas and the war with Mexico. In 1850 the northern boundary of the slave State of Texas was moved back to the line of thirty-six degrees and thirty minutes because of the Missouri Compromise. At the same time the one hundred and third meridian was made the eastern boundary of New Mexico. Johnson's bill which was reported favorably by the Senate Committee on Territories was the first attempt to attach this unorganized strip afterwards known as "No Man's Land" to the Indian Territory.<sup>181</sup>

In 1865 Senator James Harlan of Iowa introduced a bill to consolidate the Indian tribes and establish civil government in a Territory which had the boundaries of the present State of Oklahoma. The bill passed the Senate but before it could receive consideration in the House that session of Congress ended.<sup>182</sup> Numerous bills for the establishment of a Territory continued to be introduced, but the Indians opposed Territorial organization because they believed that it would be a scheme to deprive them of their lands. On the

<sup>180</sup> Gittinger's *The Formation of the State of Oklahoma*, pp. 46-48, in the *University of California Publications in History*, Vol. VI; *The Congressional Globe*, 33rd Congress, 1st Session, p. 449. The spelling of Chahlahkee is also given Chelokee and Chahtakee.

<sup>181</sup> *The Congressional Globe*, 33rd Congress, 1st Session, p. 1986. Gittinger's *The Formation of the State of Oklahoma*, pp. 48, 49, in the *University of California Publications in History*, Vol. VI.

<sup>182</sup> Gittinger's *The Formation of the State of Oklahoma*, pp. 71, 72, in the *University of California Publications in History*, Vol. VI; *The Congressional Globe*, 38th Congress, 2nd Session, pp. 915, 1021-1024, 1303-1306, 1420.

other hand popular interest demanded the opening of the Indian Territory to occupation by the whites: persistent efforts were made by settlers to invade the unassigned lands.<sup>183</sup> Legal white settlement, however, was not authorized until 1887 when the Dawes Act was passed, providing that after the lands had been allotted in severalty to the Indians the undivided surplus might be bought by the United States and sold to the settlers.<sup>184</sup>

There were numerous petitions for the organization of Oklahoma about this time. On February 8, 1888, a convention was held at Kansas City which claimed to represent the people of all the States bordering on the Indian Territory. The memorial prepared there asserted that the Indian Territory lay "in the center of Southwestern civilization, an obstacle to trade development and an injury to every State which borders upon it."<sup>185</sup>

Finally, after many delays, the Territory of Oklahoma was created in 1890. It included, however, only the western part of Indian Territory and "No Man's Land". The portion of Indian Territory included in Oklahoma Territory was bounded as follows:

"Commencing at a point where the ninety-eighth meridian crosses the Red River, thence by said meridian to the point where it crosses the Canadian River, thence along said river to the west line of the Seminole country, thence along said line to the north fork of the Canadian River, thence down said river to the west line of the Creek country, thence along said line to the northwest corner of the Creek country, thence along the north line of the Creek country, to

<sup>183</sup> Gittinger's *The Formation of the State of Oklahoma*, pp. 79-114, in the *University of California Publications in History*, Vol. VI.

<sup>184</sup> *United States Statutes at Large*, Vol. XXIV, pp. 388-391.

<sup>185</sup> Gittinger's *The Formation of the State of Oklahoma*, p. 146, in the *University of California Publications in History*, Vol. VI; *The Congressional Record*, 59th Congress, 1st Session, p. 1382.

the ninety-sixth meridian, thence northward by said meridian to the southern boundary line of Kansas, thence west along said line to the Arkansas River, thence down said river to the north line of the land occupied by the Ponca tribe of Indians from which point the line runs so as to include all the lands occupied by the Ponca, Tonkawa, Otoe, and Missouriia, and the Pawnee tribes of Indians until it strikes the south line of the Cherokee outlet which it follows westward to the east line of the State of Texas, thence by the boundary line of the State of Texas to the point of beginning".<sup>186</sup>

Any other lands within the Indian Territory were to become a part of the Territory of Oklahoma whenever the Indian tribe owning such lands gave its consent. The government immediately started negotiations with the Indians for the opening of more lands for settlement.<sup>187</sup>

On July 3, 1890, Idaho was admitted as a State with the boundaries which it had had from the time of the creation of the Wyoming Territory in 1868. It was limited on the northeast by the Bitter Root Mountains and the continental divide; on the east by the meridian of thirty-four degrees of longitude west from Washington; on the south by the parallel of forty-two degrees north latitude; on the west by the meridian drawn through and to the mouth of the Owyhee River, thence down the Snake River to the Clearwater River, and thence by the meridian passing through the Clearwater River; and on the north by the British possessions.<sup>188</sup>

On the same date that Idaho ratified its constitution Wyoming did likewise and on July 10, 1890, Wyoming was

<sup>186</sup> *United States Statutes at Large*, Vol. XXVI, pp. 81, 82.

<sup>187</sup> Gittinger's *The Formation of the State of Oklahoma*, pp. 160-167, in the *University of California Publications in History*, Vol. VI.

<sup>188</sup> *United States Statutes at Large*, Vol. XXVI, p. 215.



admitted as a State with the boundaries which were given to it when it was organized as a Territory.<sup>189</sup>

In 1896 Utah was also admitted into the Union without a change in her boundaries. There has been no boundary modification for Utah since 1868 when the northeastern corner was included in the Territory of Wyoming. The enabling act was passed on July 16, 1894, but the actual admission by proclamation did not take place until January 4, 1896.<sup>190</sup>

No other States were organized before the twentieth century. There were, however, several controversies concerning uncertain boundaries that were brought before the United States Supreme Court. For example, in 1892, because of marked changes in the channel of the Missouri River, Nebraska and Iowa claimed jurisdiction over the same tract of land. The Supreme Court determined a boundary which was accepted by both States.<sup>191</sup>

The same year there was a controversy between the United States and the State of Texas as to the ownership of what is now Greer County, Oklahoma, which lay between the North and South Fork of the Red River. It was not certain which branch was designated by the treaty of 1819, nor which meridian should be accepted — the true one hundredth meridian or the one hundredth meridian located on the Melish map referred to in the treaty. In 1896 the Supreme Court decided that Greer County was not properly included within Texas but was subject to the jurisdiction of the United States. When Oklahoma Territory was established in 1890, it had been provided that Greer County

<sup>189</sup> *United States Statutes at Large*, Vol. XXVI, p. 222.

<sup>190</sup> *United States Statutes at Large*, Vol. XXVIII, p. 107, Vol. XXIX, p. 876.

<sup>191</sup> *Scott's Judicial Settlement of Controversies between States of the American Union: Cases Decided in the Supreme Court of the United States*, Vol. II, pp. 1094-1101, 1118-1120.

should not be included until the title to the same had been adjudicated and determined to be in the United States.<sup>192</sup> As a result of this decision in 1896 Texas lost a valuable county to Oklahoma.

In 1905 the United States Supreme Court settled another controversy due to the shifting of the bed of the Missouri River. This decision applied to Missouri and Nebraska.<sup>193</sup> A similar case concerning the Columbia River between Washington and Oregon was brought up in 1908 but the Supreme Court, after giving its opinion concerning the correct boundary, decided that such a controversy should be adjusted by a boundary commission. In the same year the Supreme Court gave a decision in regard to the shifting portion of the Missouri River between Missouri and Kansas.<sup>194</sup> These cases decided in the United States Supreme Court show how easily boundary controversies may arise from time to time.

Soon after the establishment of Oklahoma Territory, there began the introduction of bills for the admission of that Territory to statehood. Some of the bills provided for the admission of Oklahoma alone, while others provided for joint statehood for Oklahoma and Indian Territory. Most of the people of the two Territories probably favored joint statehood, for one State government was considered less expensive than two and separately the Territories were very small in comparison with the nearby western States.

<sup>192</sup> Scott's *Judicial Settlement of Controversies between States of the American Union: Cases Decided in the Supreme Court of the United States*, Vol. II, pp. 1101-1118, 1176-1234; Gittinger's *The Formation of the State of Oklahoma*, p. 167, in the *University of California Publications in History*, Vol. VI.

<sup>193</sup> Scott's *Judicial Settlement of Controversies between States of the American Union: Cases Decided in the Supreme Court of the United States*, Vol. II, pp. 1403-1413.

<sup>194</sup> Scott's *Judicial Settlement of Controversies between States of the American Union: Cases Decided in the Supreme Court of the United States*, Vol. II, pp. 1600-1619.

On the other hand their union would bring together two unlike sections. The Indians felt that their political strength would be greater in a separate State than in a joint State. The executives of four of the tribes called a constitutional convention in 1905 and a constitution was adopted for a proposed State of Sequoyah. The constitution was ratified at the polls but before the plan could receive a hearing, Congress had practically agreed upon the union of Oklahoma and Indian Territory.<sup>195</sup>

Seven bills for the admission of the two Territories as one State were introduced in the first session of the Fifty-ninth Congress. Finally an enabling act was passed and approved by the President on June 16, 1906. It not only provided for the admission of Oklahoma and the Indian Territory as one State, but it also provided for the admission of the Territories of Arizona and New Mexico as the State of Arizona. The union of the two latter Territories, however, was to take place only after the consent of their electors was obtained at separate general elections. On November 16, 1907, Oklahoma was admitted by the proclamation of President Roosevelt.<sup>196</sup>

In the election held on November 6, 1906, to determine the attitude of the people of New Mexico and Arizona toward joint statehood, New Mexico voted for union and statehood; while Arizona voted against the proposition, because the two Territories were racially different and were separated by mountains and deserts. Then, too, since the population of Arizona was less than that of New Mexico there was perhaps fear lest future policies would be dictated by New

<sup>195</sup> Gittinger's *The Formation of the State of Oklahoma*, pp. 196-210, in the *University of California Publications in History*, Vol. VI.

<sup>196</sup> *United States Statutes at Large*, Vol. XXXIV, Pt. I, pp. 267, 278, Vol. XXXV, Pt. II, pp. 2160, 2161.

Mexico. When the Senate learned of the overwhelming opposition it deferred action.<sup>197</sup>

In 1910 a bill providing for the organization of separate State governments in New Mexico and Arizona passed Congress and was signed by President Taft on June 20th.<sup>198</sup> A joint resolution to admit the two Territories into the Union passed Congress on August 21, 1911, and in 1912 presidential proclamations declared their admission as States.<sup>199</sup> Their boundaries remained unchanged.

With the admission of New Mexico and Arizona all of the country west of the Mississippi River had been organized into States. The territory had been acquired gradually and successive Territories and States had been created spreading at first from the Mississippi River westward, then along the Pacific Ocean, finally filling in the great interior. In a little over a century after the first acquisition, a vast area of unorganized territory had been organized into twenty-two States. There have been many boundary changes in these States and possibly more of them will take place in the future.

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<sup>197</sup> Farlow's *Arizona's Admission to Statehood* in *Annual Publications of the Historical Society of Southern California*, Vol. IX, pp. 137, 142.

<sup>198</sup> *United States Statutes at Large*, Vol. XXXVI, Pt. I, pp. 557-579.

<sup>199</sup> *United States Statutes at Large*, Vol. XXXVII, Pt. I, p. 39, Pt. II, pp. 1723, 1728.

## APPENDIX

SUMMARY OF THE TERRITORIES AND STATES WEST OF THE  
MISSISSIPPI<sup>200</sup>

<i>States</i>	<i>Organized as a Territory</i>	<i>Admitted as a State</i>
Arizona	February 24, 1863	February 14, 1912
Arkansas	March 2, 1819	June 15, 1836
California		September 9, 1850
Colorado	February 28, 1861	August 1, 1876
Idaho	March 3, 1863	July 3, 1890
Iowa	June 12, 1838	December 28, 1846
Kansas	May 30, 1854	January 29, 1861
Louisiana	March 26, 1804	April 8, 1812
Minnesota	March 3, 1849	May 11, 1858
Missouri	June 4, 1812	August 10, 1821
Montana	May 26, 1864	November 8, 1889
Nebraska	May 30, 1854	February 9, 1867
Nevada	March 2, 1861	October 31, 1864
New Mexico	September 9, 1850	January 6, 1912
North Dakota	March 2, 1861	November 2, 1889
Oklahoma	May 2, 1890	November 16, 1907
Oregon	August 14, 1848	February 14, 1859
South Dakota	March 2, 1861	November 2, 1889
Texas		December 29, 1845
Utah	September 9, 1850	January 4, 1896
Washington	March 2, 1853	November 11, 1889
Wyoming	July 25, 1868	July 10, 1890

<sup>200</sup> The dates given for the admission of the States are those of the final action by the Federal government. In some cases this is the approval of the act of Congress; in others it is the proclamation by the President.

## A DOCUMENT RELATING TO DUTCH IMMIGRATION TO IOWA IN 1846

Of the important documents for the study of Dutch immigration to Iowa, few can be more interesting than the rules which were adopted at Utrecht on December 25, 1846, by those Hollanders who had determined to seek new homes in the United States, though students of this movement have made little, if any, use of this document. Indeed, it is very doubtful whether any of the later writers on the subject have ever seen it. K. Van Stigt mentions the formation of an association in general terms,<sup>1</sup> but appears to have derived practically all of his information from Scholte's organ *The Reformation*.<sup>2</sup> John Nollen enumerates substantially the same facts: on December 25, 1846, there was a meeting at Utrecht at which all particulars concerning the journey were decided; a sort of constitution was drawn up; the time for departure was set for the close of March or the first part of April; and, finally, an executive committee was named.<sup>3</sup> J. A. Wormser, biographer of Scholte, does not mention the rules in any way.<sup>4</sup> Nor does Jacob Van der Zee make use of them in his excellent work *The Hollanders in Iowa* in which they would assuredly have been dealt with had they been known.<sup>5</sup>

That these rules should so long have remained unknown is indeed quite remarkable. Undoubtedly a large number

<sup>1</sup> Van Stigt's *Geschiedenis van Pella, Iowa, en Omgeving*, Pt. I, pp. 74, 75, 85, 86.

<sup>2</sup> *De Reformatie* (A periodical of the Christian Reformed Church), Third Series, Pts. 2 and 3, published by H. P. Scholte in 1846 and 1847 at Amsterdam.

<sup>3</sup> Nollen's *De Afscheiding: Een Gedenkschrift*, p. 45.

<sup>4</sup> Wormser's "Door Kwaad Gerucht en Goed Gerucht." *Het Leven van Hendrik Peter Scholte in Een Schat in Aarden Vaten*, First Series, Pt. 2.

<sup>5</sup> Van der Zee's *The Hollanders of Iowa*, pp. 45, 46.

of copies were printed and distributed among the emigrating Hollanders, and many must have been brought to Iowa, for the association continued to play a part in the early history of Pella. The existence of the printed rules, however, was not known to the writer even after half a dozen years spent in collecting the documents dealing with emigration from Holland to the United States and other countries.<sup>6</sup> Even the documentary material which may to-day be consulted in the old Scholte home at Pella does not include a copy. To my delight, therefore, I found one quite accidentally when, in the rather idle hope of finding something that might be of importance, I was looking over an unpromising mass of miscellaneous books and pamphlets exposed for sale on the market square, the Neude, of Utrecht. The pamphlet is not mentioned in the catalogue of the vast collection of the Royal Library at The Hague. It is in octavo and has fourteen pages. It has no cover and appears never to have had one. No place or date are given on the title page which merely has the words "Netherlandish Association for Emigration to the United States of North America".<sup>7</sup> A copy of the translation of this unique document is printed below.

HENRY STEPHEN LUCAS

STATE UNIVERSITY OF WASHINGTON  
SEATTLE WASHINGTON

<sup>6</sup> The rules of the association formed at Arnhem were never put into operation and were not printed until 1910.—Brummelkamp's *Levensbeschrijving van Wijlen Professor A. Brummelkamp, Hoogleraar aan de Theologische School te Kampen*, pp. 205-209. An English translation was recently printed in Lucas's *The Beginnings of Dutch Immigration to Western Michigan, 1846*, in *Michigan History Magazine*, Vol. VI. The Zeelanders formed a similar association and published the rules.—*Reglement der Zeeuwsche Vereeniging ter Verhuizing naar de Vereenigde Staten van Noord-Amerika* (Met een Woord aan den Lezer). Te Goes bij de Wed. C. W. de Jonge, 1847.

<sup>7</sup> "Nederlandsche Vereeniging ter Verhuizing naar de Vereenigde Staten van Noord-Amerika."

NETHERLANDISH ASSOCIATION FOR EMIGRATION TO  
THE UNITED STATES OF NORTH AMERICA

## ARTICLE 1

A Netherlandish Association for emigration to the United States of North America is formed. From the membership of this Association a Board of Control is chosen.

## ARTICLE 2

The control of the Association is entrusted to a President, supported by a Secretary, a Vice-President and four Advisors. In case of a tie the President shall have a deciding vote.

## ARTICLE 3

Each person who wishes to emigrate shall announce his intention to the Board and indicate the amount of land desired by each individual or group of individuals collectively, or the amount of money which they may have set aside for that purpose. Also the number who are to be transported at the expense of each participant. In like manner must those who wish to accompany the Association at their own expense without intending to purchase land announce their intention.

## ARTICLE 4

In no case shall the Board of Control accept anyone as a participant of whose moral conduct or public life any suspicions of improper conduct can be rightfully entertained. Nor may any members of the Romish persuasion be admitted to membership in the Association.

## ARTICLE 5

The Board of Control shall enter into negotiations with shippers in order that the most pleasant and advantageous passage and further journey through North America may be prepared.

## ARTICLE 6

As all members of the Association cannot be transported on one ship, the Board shall see to it that the members of the Board shall be distributed among the various ships and a supervisor for the decks of each ship shall be named from among the passengers. In like manner shall the Board make substitutions in case of sickness.



## ARTICLE 7

Before departure the Board of Control shall, in consultation with the captain, make arrangements for provisions and for daily duties on the journey in connection with keeping the decks clean. The passengers ought to submit to these rules. Each member of the Association binds himself to render all possible services according to his abilities at the indication of the Board.

## ARTICLE 8

In the month of January shall be paid into the hands of the Board of Control the whole of the expenses covering the journey to and in the United States except the provisions which are left to the care of the participants. The expenses of the journey are for the time being estimated at eighty guilders per head, the full grown and children taken together; for the full grown not accompanied by children under twelve, at a hundred guilders.

## ARTICLE 9

There will most likely be opportunity of a more comfortable passage overseas in case one hundred shall indicate their desire for such passage. In that case the expenses of the passage and provisions will amount to a hundred twenty guilders for the full grown and children in proportion. Besides this there is also opportunity for place in the cabins. This is also true of the journey through America.

## ARTICLE 10

The total amount of the purchase price of the land must be deposited with the Board of Control before departure and by the middle of March at the latest. The price of the land is provisionally estimated at two dollars (five guilders) per acre (practically equivalent to a half *Rijnland morgen*).

## ARTICLE 11

After the journey and the purchase and the division of the land have been accomplished, the Board of Control shall render account and be responsible for its supervision in this matter. In case there is a cash balance, it shall be allocated to each according to his share; in the case of a deficit each shall pay his due portion.

## ARTICLE 12

In case the Board of Control deems it advisable one or two mem-

bers may be appointed either from the Board or from the membership of the Association to take passage at Havre as soon as the passage of the Association has been arranged, in order to be in the port of landing some time in advance to provide for inland transportation.

## ARTICLE 13

The party which shall be appointed to choose and buy the whole area of land shall, as soon as possible upon arrival in the United States, journey to the region which has been proposed in order to choose the lands and purchase them so that the immigrants can as they arrive receive assignment for their homes.

## ARTICLE 14

The area of the land purchased shall immediately be divided into large divisions of four or more sections, in accordance as the participants of the Association shall have declared their desire to live together. As far as possible in the middle of these divisions (which may be regarded as separate subdivisions), a quarter of a section shall be set apart, which shall be taken from the adjoining sections. On this ground which shall constitute the village proper there shall be erected at the common expense, *a.* a schoolhouse and houses for the teachers in order that after the arrival the children may soon be kept busy, and *b.* a house for the doctor in order that he may at once follow his calling.

## ARTICLE 15

The Board of Control shall have the right to sell parts of this ground to individual parties who do not wish to buy land for farming, but who wish to follow a calling or carry on some business or trade or who for any other reason may desire to live in the midst of the village. The total amount of money from the sale of such lands shall be used to meet the common expenses.

## ARTICLE 16

Cabins can be built upon this ground to serve as homes for the members of the Association until they shall build houses upon their own lands. For the use of these a moderate rent shall be paid. The cabins shall remain the property of the community and final disposal shall later be made of them.

## ARTICLE 17

The Board of Control provides for a suitable school and teachers for the needs of the Association and also for the necessary school supplies. It shall also regulate either before or after arrival the rules and the terms upon which the children can be received. The school shall be supported by the Association in so far as the expenses shall not be met by the tuition money. Each party shall contribute for this purpose in proportion to his share in the general expenses. For the rest each party shall be wholly free in respect to the education of his children.

## ARTICLE 18

The Board of Control shall regulate whatever may be deemed necessary for the Association in respect to medical service.

## ARTICLE 19

The Board of Control shall determine immediately after the division of the lands the main roads to the limits of the village and shall see to it that each party shall have access from his lands to the main roads. Parties owning lands along any of the roads are obliged to surrender mutually one half of the ground necessary for the road. This shall also be the rule in connection with the digging of canals or ditches for the common needs. In the construction of roads or canals no one shall unduly burden his neighbors.

## ARTICLE 20

The Board of Control as such shall not concern itself in any case with regulations concerning religious services or other ecclesiastical matters. No expenses incurred in this matter can be presented to the Association for payment. This matter is left entirely to those who associate themselves with an ecclesiastical organization.

## ARTICLE 21

The members of the Board of Control shall as such receive no compensation. When, however, they shall have incurred expenses through travel or special duties for the needs of the Association, they shall be reimbursed. The Board shall be allowed to compensate a Secretary. After settlement shall have been made, decision may be reached to give the President an annual grant because of his more persistent activities for the needs of the Association.

## ARTICLE 22

The Board of Control shall call at least one meeting of those interested before the departure. Report shall then be submitted regarding the condition of the Association, the personnel and the quantity of land which can be bought. It shall also render a report concerning information received in the meantime. Furthermore, the Board of Control shall after fuller investigation of the laws of the United States present a plan of government for the Association after its settlement in North America in order that they may as soon as they are established choose a regular local government.

## ARTICLE 23

If anything is to be done or prepared in the general interest before the departure the Board of Control will likewise call together those that are interested and inform them of the matter under proposal. The Board shall on that occasion make the necessary resolutions and when two thirds of the members approve the proposition, it shall be binding upon all.

## ARTICLE 24

If any member of the Association shall have any proposal which he deems advantageous to the Association he shall inform the President to that effect in writing who will present the matter before the Board. If the Board approves the proposal by a majority of votes, the same shall be further discussed in the manner described in the previous article. In case the Board declines such a proposal it will notify the member to that effect and give the reasons therefor.

## ARTICLE 25

Those who accompany the Association entirely at the expense of others shall have no deciding vote. Furthermore, to have a deciding vote it is required that the member be married or a widower, or have attained the age of twenty years.

## ARTICLE 26

The members of the Association bind themselves not to sell, rent or surrender, their real properties in the community to any one outside the Association without giving previous notice to the Board. This Board shall then have the right of priority and shall have a period of forty-eight hours to take action. The purchaser of such

land shall incur the same obligations as the original holder. The Board shall have the right to remove this obligation after an investigation of the people who wish to come in from the outside.

## ARTICLE 27

The Board of Control shall have the power to propose to the Association to borrow money at interest in order to execute works of general interest and advantage. Whenever such a proposal shall have been accepted in a meeting of the members of the Association in the ordinary manner, the same shall have binding force.

## ARTICLE 28

The Board of Control shall have the liberty to accept contributions for the needs of the Association from those who are interested in the success of the emigration, and an account of such sums shall be kept and report rendered. The Board will also see to it that proper account shall be kept of all receipts and expenditures so that in the final account and responsibility it can be proved to the satisfaction of each that the business has been conducted according to the rules agreed upon.

## ARTICLE 29

The Board shall make sure that a book be kept in which a record of births and marriages of the members of the Association shall be entered. For this purpose each person shall for himself or for his family send the necessary notices to the President of the Board as soon as possible. This regulation is deemed necessary in order to avoid complications in the future.

## ARTICLE 30

Each member shall pay for himself and for his family as admission fee one guilder per caput for the purpose of paying incidental expenses. The same shall be demanded from all those who will join the Association later. Proof of membership in the Association, signed by the President, shall then be given.

## ARTICLE 31

In case anyone shall change his intentions after ships have been chartered for the passage to North America he shall be entitled to receive whatever he shall have deposited for the purchase of land. Likewise he shall receive such part of the money deposited for the passage as shall not be needed for the voyage. This shall, however,

only be repaid when the places thus made vacant are filled by new members of the Association. In this case ten percent of the passage money received shall be deducted for the needs of the Association.

## ARTICLE 32

In case anyone should find himself in circumstances under which, according to the judgment of the Board, it is impossible for him to accompany the Association, he shall in case he has need of it, not be bound by the terms of the foregoing article.

## ARTICLE 33

In case proofs of immoral or irregular public conduct of any member of the Association become known before departure such member shall have the money which he may have deposited returned to him and his connection with the Association ended.

## ARTICLE 34

The President of the Association shall have executive power and all documents in which the Association is a party shall be signed by him and the Secretary. The latter's signature shall be evidence of the fact that the document issued is described in the minutes book of the Association. In this book the business of the meetings shall also be entered, and shall be signed by the President and the Secretary after the minutes are approved by the Board.

## ARTICLE 35

These rules shall be printed and a copy presented to each subscriber and it shall be signed, as proof of genuineness, by the President and the Secretary. Furthermore, each of the subscribers shall with his own hand sign this agreement for himself and his family as proof that he will be guided by the rules of the Association, and insofar as he may be able, further the interests of the Association.

THUS DETERMINED IN A MEETING OF THE MEMBERS  
HELD AT UTRECHT, 25 DECEMBER, 1846.

H. P. SCHOLTE, President.

I. OVERKAMP, Secretary.<sup>8</sup>

<sup>8</sup> These names are autograph signatures.

## SOME PUBLICATIONS

*The War Purse of Indiana.* By Walter Greenough. Indianapolis: Indiana Historical Commission. 1922. Pp. 278. Plates. This volume, containing an account of the five Liberty Loans and the war savings and thrift campaigns in Indiana, is the second of the series known as *Indiana World War Records* and is Volume VIII of the *Indiana Historical Collections*. It contains chapters on the various Liberty Loans, the war savings campaign, and one on Indiana women in the loan campaigns. There is also an appendix giving data concerning the financial activities in Indiana during the World War, and reproductions of a number of the posters used in the campaigns. The story is well told, with an interesting combination of statistics and human interest stories.

*The History of the 33rd Division.* By Frederic Louis Huidekoper. Edited by Theodore C. Pease. Springfield: Illinois State Historical Library. 1921. Vol. I, 493 pp.; Vol. II, 725 pp.; Vol. III, 594 pp.; Vol. IV, maps. These four volumes are a part of the series entitled *Illinois in the World War*, and relate to the Illinois National Guard contingent which was organized as the Thirty-third Division.

Volume one contains the history of the division from the time of its mobilization at Camp Logan, Houston, Texas, in the fall of 1917, until its demobilization at Camp Grant, Rockford, Illinois, in June, 1919. Copious notes, containing a large amount of data, and an index complete this volume which is the history proper.

The second and third volumes contain the appendices — forty-two in number. Some of these are compilations of statistics, dates, and other data; while some are copies of official correspondence, orders, and reports. There is no index for these volumes. The fourth volume is a portfolio containing maps relating to the military operations of the division.

*Villages of the Algonquian, Siouan, and Caddoan Tribes West of the Mississippi.* By David I. Bushnell, Jr. Washington: Govern-

ment Printing Office. 1922. Pp. 211. Plates. This volume, which constitutes bulletin number seventy-seven of the Bureau of American Ethnology, contains an account of the homes and domestic life of some of the Indian tribes west of the Mississippi River. Since it is profusely illustrated and contains many descriptions left by explorers and others who visited these villages while they were occupied by the Indians, this study presents an interesting and vivid picture of the Indian tribes living just west of the Mississippi River.

The volume contains information about the Sac and Fox, the Sioux, the Winnebago, and the Iowa Indians, who were associated with the territory now included in the State of Iowa. The volume is provided with a bibliography and an index.

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*Rainbow Bright*, by Lawrence O. Stewart, is the story of the Forty-second Division told from the viewpoint of the doughboy.

*The Ancient Quipu or Peruvian Knot Record*, a monograph by L. Leland Locke, has recently been published by the American Museum of Natural History.

The March number of the *Bulletin of the New York Public Library* contains the second installment of *To Nebraska in '57 — A Diary of Erastus F. Beadle*.

*Federal Subsidies to the States: A Study in American Administration*, by Austin F. Macdonald, has recently been published by the author.

Kathryn L. Behrens is the author of a monograph on *Paper Money in Maryland, 1727-1789*, which has recently been published as one of the *Johns Hopkins University Studies in Historical and Political Science*.

*Boston in the Last Days of the Town*, a paper by Walter Kendall Watkins, is published in the *Proceedings of the Bostonian Society* for 1923.

*Military Conscription, Especially in the United States*, by F. M.



Cutler, is a paper of general historical interest in the May issue of *The Historical Outlook*.

The October, 1921, number of the *Bulletin of the Virginia State Library* is an *Index to Obituary Notices in the Richmond Enquirer from May 9, 1804, through 1828, and the Richmond Whig from January, 1824, through 1838*.

*William Plumber's Memorandum of Proceedings in the United States Senate, 1803-1807*, edited by Everett Somerville Brown, is one of the recent books on legislative history. This is in the form of a diary and contains a great deal of material on the organization of the Senate.

Under the heading *Legislative Notes and Reviews* in the May number of *The American Political Science Review*, Walter F. Dodd has compiled an account of Governors' messages and their recommendations.

*Sir William Johnson*, by Charles A. Ingraham, *The Story of Arlington National Cemetery*, by Carson C. Hathaway, *The Beginnings of Education*, by Henry A. Tirrell, and *Misunderstood Mythology*, by Jacob P. Dunn, are four of the contributions in the April issue of *Americana*.

*These United States*, edited by Ernest Gruening, is a collection of the twenty-seven articles on the various States which appeared in *The Nation*. The essay on Iowa, entitled "A Mortgaged Eldorado", was written by Johan J. Smertenko.

*Increase of Population in the United States, 1910-1920*, by William S. Rossiter, has recently been issued as the first volume of the series of *Census Monographs*. This study of changes and characteristics of the population of the United States and the various States is both useful and interesting.

Among the contributions to *The Journal of American History* for July-September, 1922, are the following: *The Indian Inhabitants of the Niagara Frontier*, by Frederick Houghton; *Henry Clay and Liberia*, by Lucretia Clay Simpson; *From Rhode Island to Ohio in 1815*, by John Cotton; and *The Fight Against the Bank*

of the United States, a chapter in the study entitled *A History of Banks and Banking and of Banks and Banking in the City of New York*, by W. Harrison Bayles and Frank Allaben.

Source Volume I of the *Publications of the Virginia War History Commission* is *Virginians of Distinguished Service in the World War*, edited by Arthur Kyle Davis. It is dedicated to Woodrow Wilson "the Virginian of most distinguished service". The volume contains the names of 763 Virginians who were decorated during the World War by the United States or foreign countries.

*An American Boundary Dispute: Decision of the Supreme Court of the United States with Respect to the Texas-Oklahoma Boundary*, by Isaiah Bowman, and *The Forty-fifth Parallel: A Detail of the Unguarded Boundary*, by Lawrence Shaw Mayo, are two articles of interest to American history students in the April number of *The Geographical Review*.

The University of the State of New York has published *The Papers of Sir William Johnson* in three volumes. These cover the period from 1738 to 1808 and contain much material relating to the Indians and to economic conditions at the time. The compilation was made under the direction of James Sullivan, Director of the Division of Archives and History of New York.

The *American Anthropologist* for October-December, 1922, contains an article by William C. Mills on *Exploration of the Mound City Group, Ross County, Ohio, A Prochlorite Bannerstone Workshop*, by John Leonard Baer, *Feather Mantles of California*, by Charles C. Willoughby, and *The Family Hunting Territory and Lenápe Political Organization*, by William Christie MacLeod. In the issue for January-March, 1923, one of the articles is *American Culture and the Northwest Coast*, by A. L. Kroeber.

#### WESTERN AMERICANA

*The Navahos and Their Blankets*, by Harry G. Franse, is one of the papers in the June number of *Autumn Leaves*.

*Waukesha County: Northern Townships*, by Charles E. Brown, is the study published in *The Wisconsin Archeologist* for January.

*History of Experiments in Economic Equality*, by Merrill A. Etzenhouser, and *The Nauvoo Exodus* are two papers of historical interest in the April number of the *Journal of History*.

*Open Price Associations*, a monograph by Milton Nels Nelson, has recently appeared in the June, 1922, issue of the *University of Illinois Studies in the Social Sciences*.

*John B. Floyd and James Buchanan*, by P. G. Auchampaugh, and *Famous Battles as a Confederate Private Saw Them*, sketches by Samuel Elias Mays, are two of the papers in *Tyler's Quarterly Historical and Genealogical Magazine* for April. There are also *Letters from the Governors' Letter Books*.

*The Southwestern Political and Social Science Quarterly* for June contains an article by Charles Grove Haines on *Histories of the Supreme Court of the United States Written From the Federalist Point of View* and one by E. T. Miller on *State Income and Taxation*.

*The Winnebago Tribe* is a monograph by Paul Radin published in the *Thirty-seventh Annual Report of the Bureau of American Ethnology*. This is a very complete and interesting description of an Indian tribe connected with the early history of Wisconsin, Iowa, and Minnesota.

*The Organization and Activities of the Committee on Scientific Research of the State Council of Defense of California*, a report prepared by T. H. Goodspeed, has been published as a number of the *Bulletin of the National Research Council*, a periodical published by the National Research Council of the National Academy of Sciences at Washington, D. C.

*The Book of Lake Geneva*, by Paul B. Jenkins, is an interesting story of a famous Wisconsin resort. It includes material on the geological formations, the Yerkes Observatory, and descriptions of the surrounding region, and in addition has an account of the occupation of the lake shores by the Indians, the coming of the white settlers, and the later events in Walworth County, Wisconsin.

*Waiting on the Maya Ghosts*, by Alma Reed, is a brief article in

*El Palacio* for April 16, 1923. The following number has an article by the same author entitled *On the Track of the Maya's Secret and Ledgers of a Santa Fe Trader*, by Lansing Bloom. *The Well of the Maya's Human Sacrifice* and *Assimilation by Archaeological First Aid*, both by Alma Reed, appear in the issue for June 1. In the number dated July 2, 1923, Walter Hough contributes *Pit Dwellings and Square Kivas of the Upper San Francisco River*.

*A History of Missouri and Missourians* is a text book on State history, prepared by Floyd C. Shoemaker, for Missouri high schools. It is presented in six parts: Missouri and Missourians; Missouri a Foreign Possession, 1541-1804; Missouri an American Territory, 1804-1820; A Century of Missouri Politics, 1821-1921; A Century of Military Missouri; and A Century of Missouri's Victories of Peace. Each chapter is followed by suggestive questions and in the Appendix is a list of reference books on Missouri.

*The Pioneer Physician*, by James Grassick, *The North Dakota Bar of the Pioneer Days*, by F. W. Ames, *Early Politics and Politicians of North Dakota*, by George B. Winship, *Tales of the Early Settlers*, by J. H. Shepperd, *Early Banking in North Dakota*, by Samuel Torgerson, *The Pioneer Farmer*, by John W. Scott, and *Early Religious Activities*, by Charles H. Phillips, are the articles in *The Quarterly Journal of the University of North Dakota* for April.

*The Wisconsin Magazine*, the first issue of which appeared in March, 1923, has for its primary purpose, the dissemination of publicity concerning the State of Wisconsin. The magazine is published monthly and is entirely popular in style. Among the articles included, however, are some relating to historical events in Wisconsin. *Bogus Cave*, by Mary A. James, *A Noisemaker With a History*, by O. D. Brandenburg, *Nelson Dewey, First Governor of Wisconsin, 1848-1852*, *Old-Time Taverns in Baraboo Region*, by H. E. Cole, *Captain Marryat in Wisconsin*, by Milo C. Richter, *Wisconsin Indian Earthworks*, by Charles E. Brown, and *Historic Glimpse of the Green Bay-Chicago Road*, by F. A. Cannon, are examples of this type of articles found in the March issue. The

May number contains the following short historical sketches: *The Romance of Great Lakes Navigation*, by R. G. Plumb; *Leonard J. Farwell, Second Governor of Wisconsin, 1852-1854*; *Wisconsin's White Ribbon Shrine*, by May L. Bauchle; *A Story Told with Earth*, by Marian Strong; and *Hamlin Garland*, by George Gerling. In the issue for June are the following: *How Coldwater Canyon Was Named*, by Stanley E. Lathrop; *The Romance of Great Lakes Navigation*, by R. G. Plumb; *Wisconsin's Capital City*, by Margaret Smith; *Paul Bunyan, Only True American Myth*, by Bert E. Hopkins; *The Lynching Bee Tree*, by H. E. Cole.

## IOWANA

C. J. Wohlenberg, vice president of the Ida County Historical Society, has begun work on the compilation of a history of the early settlements in Ida County.

*Physicians Who Located in Iowa in the Period Between 1850 and 1860*, by D. S. Fairchild, is continued in the April number of *The Journal of the Iowa State Medical Society*.

*The History of Fort Dodge*, by J. H. Schaffner, is continued in the April, May, and June numbers of *The Community Builder*, published by the Ft. Dodge Chamber of Commerce.

Angeline Smith is the compiler of a bibliography entitled *Iowa: Some Suggested Topics for Study*, recently published by the Extension Division of the State University of Iowa as Bulletin No. 89.

*A Young Soldier's Career*, by Elbridge D. Hadley, *Hostile Raid into Davis County, Iowa*, a report by Colonel S. A. Moore in 1865, and *Colonel N. W. Mills of the Second Iowa Infantry*, by F. M. Mills, are the three articles in the *Annals of Iowa* for July, 1922. An article entitled *Overland Journey to California by Platte River Route and South Pass in 1850*, by Fancher Stimson, *Pioneering at Bonaparte and Near Pella*, by Mrs. Sarah Welch Nossaman, and an account of the addresses delivered at the presentation of the portrait of Samuel Calvin to the Historical Department are the three contributions in the number for October, 1922.

## SOME RECENT PUBLICATIONS BY IOWA AUTHORS

- Allen, Mary Louise,  
*Bring Your Flower Garden Indoors* (Fruit, Garden and Home,  
July, 1923).  
*The Dawn of the Dahlia* (People's Popular Monthly, June,  
1923).
- Blackman, H. L.,  
*Engineering Is Aid to Salesmanship* (The Iowa Engineer, May,  
1923).
- Brindley, John E.,  
*Engineers Need Business Training* (The Iowa Engineer, June,  
1923).
- Brown, Bernice,  
*Johnny Gerald* (Collier's Weekly, May 5, 1923).  
*No Message* (The Ladies' Home Journal, June, 1923).
- Brown, Charles R.,  
*Faith and Health*. New York: Thomas Y. Crowell Co. 1923.
- Catt, Carrie Chapman, (Joint author)  
*Woman Suffrage and Politics*. New York: Charles Scribner's  
Sons. 1923.
- Crawford, Bartholow V.,  
*The Dance of the Kings* (Philological Quarterly, April, 1923).
- Crosby, H. E., (Joint author)  
*Construction Starts on New Library* (The Iowa Engineer,  
April, 1923).
- Donovan, Josephine Barry,  
*Grasshopper Times* (The Palimpsest, June, 1923).  
*The Winter of Eighty-One* (The Palimpsest, April, 1923).
- Dyer, J. E.,  
*Huge Texas Dam Built Hydraulically* (The Iowa Engineer,  
March, 1923).
- Edwards, Alice Mavor,  
*The Old Holland School* (The Midland, March, 1923).

Ensign, Forest C.,

*Fifty Years of Education* (The Iowa Alumnus, April, 1923).

Farran, Don W.,

*To Where the Sea-Gulls Fly* (Railroad Telegrapher, May, 1923).

Farrell, Mabel, (Peggy Poe)

*The Put-It-Off Folks or Why Pappy Rabbit Has Such a Short Tail* (Children's Hour, May, 1923).

*The Village of After-While* (People's Popular Monthly, June, 1923).

Flindt, V.,

*Quick Work in Extending a Water-Works Intake* (The American City, June, 1923).

Frudden, C. E.,

*Need Engineers in Tractor Industry* (The Iowa Engineer, April, 1923).

Gallaher, Ruth Augusta,

*The Iowa* (The Palimpsest, April, 1923).

Gardner, Nellie E.,

*A Futurist Shakespeare* (Vanity Fair, April, 1923).

Gilmore, Grace L.,

*Missourians Abroad — Daniel Cowen Jackling* (The Missouri Historical Review, April, 1923).

Gordon, Ronald,

*The Rat-a-Tat Tat of the Drum* (Normal Instructor and Primary Plans, May, 1923).

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Henderson, A. M.,

*Why We Should Tell the World That "Horace Greeley Meant Iowa"* (The Northwestern Banker, June, 1923).

Hinrichs, Anna,

*Scraping Acquaintances* (The Iowa Alumnus, May, 1923).

- Hopper, Isabella,  
*Broadcasting the Public Library* (Iowa Library Quarterly,  
April-June, 1923).
- Hough, Emerson,  
*North of 36*. New York: D. Appleton & Co. 1923.
- Houk, Ivan E.,  
*Coöperation With River Averts Floods* (Popular Mechanics,  
May, 1923).  
*Teams and Scoops Used in Sewer Excavations* (Successful  
Methods, February, 1923).  
*When a Locomotive Boiler Explodes* (Illustrated World, Feb-  
ruary, 1923).
- Hughes, Helen Sard,  
*The Menace of the Alumni* (The New Republic, February 7,  
1923).
- Hughes, Rupert,  
*Within These Walls*. New York: Harper Bros. 1923.
- Hutchinson, Woods,  
*Our Lordly Liver* (The Saturday Evening Post, May 5, 1923).
- Keyes, Charles Rollin,  
*Evolution of Through-Flowing Rivers in Arid Regions* (The  
Pan-American Geologist, June, 1923).  
*Gustavus Detleff Hinrichs: Mineralogist, Meteorologist, and  
Physical Chemist* (The Pan-American Geologist, June, 1923).
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Bulletin, May, 1923).



McNally, Sherman J.,

*"Bob" Burdette — Humorist* (The Palimpsest, June, 1923).

Mahan, Bruce E.,

*The First Iowa Field Day* (The Palimpsest, May, 1923).

Manatt, Rowland R.,

*Low-Head Dam Practical for Power* (The Iowa Engineer, April, 1923).

Maynard, Mrs. C. M.,

*Pickles You Will Like* (Fruit, Garden and Home, July, 1923).

Mayser, R. D.,

*Hedenger Wins Back Land by Drainage* (The Iowa Engineer, April, 1923).

Moore, Parke,

*Some Bass, A Few Pike, and the Professor* (National Sportsman, May, 1923).

Morey, Bertha Graves,

*Making Artificial Flowers* (Popular Mechanics, May, 1923).

Newton, Joseph Fort,

*The Inevitable Christ*. New York: Macmillan Co. 1923.

O'Grady, Rose, (Mrs. W. B. Kerr)

*A Culinary Courtship* (People's Popular Monthly, June, 1923).

Parker, George F.,

*Grover Cleveland's First Administration as President* (The Saturday Evening Post, April 7, 1923).

*How Cleveland and Whitney Made the New Navy* (The Saturday Evening Post, May 19, 1923).

Phillips, Blair A.,

*Taxpayers Will Suffer If Municipal Securities Are Made Taxable* (The Northwestern Banker, April, 1923).

Quaife, Milo Milton,

*John Long's Voyages and Travels in the Years 1768-1788*. Chicago: R. R. Donnelley & Sons Co. 1922.

- Quick, Herbert,  
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#### SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

Pioneers in Jackson County, in the *Davenport Democrat*, April 1, 1923.

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Sketch of the life of Daniel Sullivan, in the *Burlington Hawk-Eye*, April 1, 1923.

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Sketch of the life of Mrs. George I. Gardner, in the *Decorah Public Opinion*, April 4, 1923.

Sketch of the life of E. W. D. Holway, in the *Decorah Public Opinion*, April 4, 1923.

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Sketch of the life of D. M. Haskell, in the *Burlington Hawk-Eye*, April 10, 1923.

Pioneer experiences of Aaron Elson, in the *Fort Madison Democrat*, April 11, 1923.

C. M. Hubbard, an early settler in Floyd County, in the *Rockford Register*, April 11, 1923.

Sketch of the life of Marion Porter, in the *Pella Chronicle*, April 12, 1923.

Sketch of the life of Wm. H. Woods, in the *Iowa Falls Sentinel*, April 12, 1923.

Coppersmith's store at Dorchester, by Florence L. Clark, in the *Williamsburg Tribune*, April 12, 1923.

Sketch of the life of John W. Howe, Sr., in the *Orient Independent*, April 12, 1923.

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Sketch of the life of W. C. Moorehead, in the *Ida Grove Record-Era*, April 18, 1923.

An event in the history of the Twentieth Iowa Infantry, in the *Center Point Independent*, April 20, 1923.

Sketch of the life of George W. Wilson, in the *Bloomfield Messenger*, April 20, 1923.

Sketch of the life of Frederick Wichman, in the *Mason City Gazette*, April 21, May 4, 1923, and the *Dubuque Herald*, April 24, 1923.

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Sketch of the life of Minor McCrary, in the *Des Moines Register*, April 22, 1923.

Sketch of the life of Mrs. Virginia Linebaugh, in the *Keokuk Gate City*, April 25, 1923.

Indian school on Yellow River, in the *Ottumwa Courier*, April 25, 1923.

Sketch of the lives of Mr. and Mrs. S. H. Hagen, in the *Gilman Dispatch*, April 26, 1923.

Old settlers at Clear Lake, in the *Mason City Globe-Gazette*, April 27, 1923.

Mrs. L. F. Andrews, Iowa's only real daughter of the American Revolution, in the *Des Moines News* and the *Des Moines Capital*, April 27, 1923.

James Glover, pioneer of Manson, in the *Manson Journal*, April 28, 1923.

Ancient skeleton discovered by Frank Ellis at Maquoketa, in the *Cedar Rapids Republican*, April 29, 1923.

Civil War volunteers, by A. M. Antrobus, in the *Burlington Gazette*, May 3, 1923.

Marker on the Iowa-Minnesota boundary, in the *Ossian Herald*, May 3, 1923.

Sketch of the life of H. J. Griswold, in the *Manson Journal*, May 3, 1923.

Sketch of the life of J. S. Hunnicutt, in the *Tama Herald*, May 3, 1923.

Some ancient history of Center Point, by R. L. Glass, in the *Center Point Independent*, May 4, 1923.

Sketch of the life of J. M. Gregg, in the *Fairfield Ledger*, May 7, 1923.

Frederick M. Hubbell, Iowa's wealthiest man, came to Des Moines sixty-eight years ago, in the *Des Moines Register* and the *Des Moines Tribune*, May 8, 1923.

The John Weare homestead in Cedar Rapids, by Gladys Arne, in the *Cedar Rapids Gazette*, May 8, 1923.

Sketch of the life of Gus Ruley, Mississippi River pilot, in the *Clinton Herald*, May 8, 1923.

J. W. Flummerfelt, early settler in Buchanan County, in the *Independence Conservative*, May 9, 1923.

Early days in Greene County, by Boardman Elliott, in the *Jefferson Bee*, May 9, 1923.

Iowa in 1838-1839, by Benjamin Morgan, in the *Indianola Advertiser-Tribune*, May 10, 1923.

Steamboating on the Des Moines River, in the *Keosauqua Barometer*, May 10, 1923.

- Sketch of the lives of Mr. and Mrs. J. A. Mathiesen, in the *Ringsted Dispatch*, May 10, 1923.
- Sketch of the life of J. L. Brown, in the *Manson Journal*, May 10, 1923.
- G. L. Edwards, mail carrier on stage route between Afton and Quincy, in the *Villisca Review*, May 10, 1923.
- Sketch of the life of Edward Kennedy, in the *Villisca Review*, May 10, 1923.
- Experiences of S. W. Campbell in the Civil War, in the *Davenport Democrat*, May 10, 1923.
- Woman who expressed joy at Lincoln's assassination ducked at Mason City, in the *Mason City Gazette*, May 12, 1923.
- Old Bible at Sioux City owned by Mrs. Charles Hodgkinson, great granddaughter of Charles Wesley, in the *Sioux City Journal*, May 13, 1923.
- Passing of the Windsor Lutheran Church at Hawkeye, in the *Cedar Rapids Republican*, May 13, 1923.
- The Coalport Home Guards, in the *Fairfield Ledger*, May 14, 1923.
- Sketch of the life of G. W. Banister, in the *Sioux City Journal*, May 15, 1923.
- Reminiscences of the Spirit Lake Massacre, in the *Britt News*, May 16, 1923.
- Early days in Greene County, by Mr. and Mrs. Frank L. Witt and Mrs. Jack Miller, in the *Jefferson Bee*, May 16, 1923.
- Sketch of the life of John Cownie, Sr., in the *Des Moines Register*, May 16, 1923.
- Sketch of the life of Mrs. Henry Roscum, in the *Burlington Hawk-Eye* and the *Burlington Gazette*, May 16, 1923.
- Worth County in former days and now, by T. C. Rone, in the *Northwood Anchor*, May 16, 1923.
- Sketch of the life of E. A. Richards, in the *Manson Journal*, May 17, 1923.



Sketch of the life of A. E. Huff, in the *Oakland Acorn*, May 17, 1923.

Bodies found in gravel pit near Spirit Lake, in the *Fonda Journal and Times*, May 17, 1923.

Sketch of the life of William F. Gilbert, in the *Burlington Gazette*, May 18, 1923, and the *Burlington Hawk-Eye*, May 19, 1923.

Crossing the plains in 1866, by William Bates, in the *Waterloo Courier*, May 19, 1923.

Sketch of the life of W. H. H. Fate, in the *Sioux City Journal*, May 20, 1923.

William F. Knowles recalls battle of Ash Hollow, in the *Sioux City Journal*, May 20, 1923.

Sketch of the life of Jonathan Foulk, Linn County's oldest resident, in the *Cedar Rapids Republican*, May 20, 1923.

Letters of Thomas Gregg, pioneer editor of southeastern Iowa, in the *Keokuk Gate-City*, May 21, 1923.

Wheat cargo brought to Fulton fifty years ago, in the *Clinton Herald*, May 22, 1923.

Early days in Greene County, by G. O. Porter, in the *Jefferson Bee*, May 22, 1923.

The Amanas, by J. B. Scannell, in the *Chariton Leader*, May 22, 1923.

Former slaves in Iowa, in the *Albia News*, May 23, 1923.

Where Missouri got its name, in the *Lacona Ledger*, May 24, 1923.

Sketch of the life of George R. Allison, in the *Manson Journal*, May 24, 1923.

Pioneer family of Jacob George, in the *Iowa Falls Citizen*, May 25, 1923.

Indian remains at Webster City, in the *Webster City Journal*, May 25, 1923.

The celebration of the two hundred and fiftieth anniversary of the coming of Joliet and Marquette, in the *Council Bluffs Non-*

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Sketch of the life of Cranmore W. Gage, in the *Davenport Democrat*, May 27, 1923, and the *Burlington Gazette*, May 29, 1923.

First railroad train to Muscatine, in the *Muscatine Journal*, May 28, 1923, and the *Bellevue Leader*, May 31, 1923.

"Flint Hills", the old ferry boat at Burlington, in the *Burlington*

*Gazette*, May 28, 1923, and the *Corydon Democrat*, June 14, 1923.

Sketch of the life of George Horridge, in the *Cedar Rapids Gazette*, May 28, 1923.

George Tyler, Mason City's oldest Civil War veteran, in the *Mason City Gazette*, May 29, 1923.

A. J. Woodman's fifty years in business at Russell, in the *Russell Union*, May 30, 1923.

Sketch of the life of Milo Morgan, in the *Montezuma Republican*, May 31, 1923.

Sketch of the life of Michael B. Kelley, in the *Manson Journal*, May 31, 1923.

Relatives of John Brown in Page County, by Mabel H. Kenea, in the *Clarinda Journal*, May 31, 1923.

Commencement at Clarinda in 1877, in the *Clarinda Journal*, May 31, 1923.

M. L. Temple's forty-nine years of law practice in Clarke County, in the *Osceola Sentinel*, May 31, 1923.

Iowa and the Civil War, in the *Bloomfield Republican*, May 31, 1923.

James Carss, the surveyor of the Des Moines Valley Railroad, in the *Ottumwa Courier*, June 1, 1923.

The farm of E. G. Spencer, by Dean Wheeler, in the *Sioux City Journal*, June 3, 1923.

Sketch of the life of J. A. Coleman, in the *Shenandoah Post*, June 4, 1923.

Abraham Lincoln once held land in Iowa, in the *Titonka Topic* and the *Madrid News*, June 7, 1923.

History of Harrison County, in the *Missouri Valley Times*, June 7, 1923.

Old Indiana newspaper owned by Mrs. Bert Brutsche, in the *Coon Rapids Enterprise*, June 7, 1923.

Sketch of the life of Benjamin F. Freeburger, in the *Manson Journal*, June 8, 1923.

The *Burlington Gazette*, the oldest newspaper in Iowa, in the *Cedar Rapids Gazette*, June 9, 1923.

Mrs. Matt Parrott a charter member of the Waterloo woman's club, in the *Waterloo Courier*, June 9, 1923.

Mrs. D. C. Bloomer's part in the Iowa suffrage movement, in the *Des Moines Tribune*, June 9, 1923.

Ancient clock owned by Mrs. C. W. Hardin, in the *Waterloo Courier*, June 9, 1923.

Early days in Waterloo, by Flora Washburn, in the *Waterloo Courier*, June 9, 1923.

Indian curios at Grinnell, in the *Des Moines Register*, June 10, 1923.

Pioneers of Smithland, in the *Sioux City Tribune*, June 12, 1923.

Sketch of the life of R. M. Green, in the *Burlington Gazette*, June 12, 13, 1923.

J. J. Manbeck came to Des Moines in a prairie schooner, in the *Des Moines Register*, June 14, 1923.

Sketch of the life of F. W. Knight, in the *Milford Mail*, June 14, 1923.

Sketch of the life of Robert Glover, in the *Manson Journal*, June 14, 1923.

Recollections of early days in Hancock County, in the *Keokuk Gate-City*, June 15, 1923.

Pioneers of Waterloo, in the *Waterloo Courier*, June 16, 1923.

Sketch of the lives of Mr. and Mrs. William H. Jones, in the *Keokuk Gate-City*, June 19, 1923.

Sketch of the life of J. C. Dahl, the oldest resident of Lewis, in the *Atlantic News*, June 19, 1923.

Sketch of the life of James Birney Harsh, in the *Creston Advertiser-Gazette*, June 20, 1923.

Career of Phineas M. Casady, in the *Des Moines News*, June 20, 1923, and the *Des Moines Register*, June 26, 1923.

Inscriptions on stones of the Old Stone Capitol, in the *Iowa City Press-Citizen*, June 20, 1923, the *Des Moines Register*, June 21, 1923, and the *Ames Tribune*, June 23, 1923.

The Winnebago Indians at Fort Armstrong, in the *Davenport Times*, June 20, 1923.

Iowa's first school, in the *Jefferson Bee*, June 21, 1923.

Sketch of the life of John T. Morris, in the *Indianola Herald*, June 21, 1923.

Sketch of the life of Thomas M. Watts, in the *Waterloo Courier*, June 23, 1923.

Proposal to publish newspaper named "Iowa Morning Star" at Keokuk, in the *Keokuk Gate-City*, June 23, 1923.

The fiftieth anniversary of Traer, in the *Cedar Rapids Gazette*, June 23, 1923.

Sketch of the life of Mr. and Mrs. J. C. Stoddard, in the *Cedar Rapids Republican*, June 24, 1923.

Judge Milo P. Smith and the robbery case at Amana, in the *Cedar Rapids Republican*, June 24, 1923.

Remains of ancient man found in northeastern Iowa, by F. D. Wasson, in the *Des Moines Register*, June 24, 1923.

The *Des Moines Register's* seventy-fifth anniversary, in the *Des Moines Register* and the *Des Moines Tribune*, June 26, 1923.

Ringgold County beginnings, by H. C. Beard, in the *Mt. Ayr Record-News*, June 27, 1923.

Jacobsen's tavern at Davenport, in the *Davenport Democrat*, June 27, 1923.

The settlement of Urbana, Benton County, in the *Cedar Rapids Gazette*, June 30, 1923.

The first Fourth of July in Waterloo, in the *Waterloo Courier*, June 30, 1923.

## HISTORICAL SOCIETIES

### PUBLICATIONS

*The Office of Sheriff in Scotland*, by C. A. Malcolm, is one of the contributions to *The Scottish Historical Review* for April.

*The Virginia Magazine of History and Biography* for April contains the concluding chapter of *The True Story of the Virginia and the Monitor*, by William Tindall.

A sixth installment of *Selections from the Gano Papers* makes up the January-March number of *The Quarterly Publication of the Historical and Philosophical Society of Ohio*.

*Lincoln and Ohio*, an extensive monograph by Daniel J. Ryan, appears in the January number of the *Ohio Archaeological and Historical Quarterly*.

The May issue of *The Register of the Kentucky State Historical Society* contains a continuation of the *Certificate Book of the Virginia Land Commission, 1779-80*.

*The British Army Button in the American Revolution*, by William L. Calver, is one of the papers in the April issue of *The New York Historical Society Quarterly Bulletin*.

*General Baldwin's Congressional Medals*, by Thomas F. Dawson, and *Ruins in Moffat County*, by J. A. Jeancon, are two short articles in the *Bulletin of The State Historical and Natural History Society of Colorado* for April-May.

The two articles in the April issue of the *Western Pennsylvania Historical Magazine* are: *The Scotch-Irish in Western Pennsylvania*, by Robert Garland, and *Western Pennsylvania and the Morrell Tariff*, by I. F. Boughter.

*The Aboriginal Inhabitants of Union County*, by Charles F. Philhower, and a continuation of *A Young Man's Journal of 1800-1813* are two contributions in the *Proceedings of the New Jersey Historical Society* for April.

*The Discovery of the Real Palatine Ship* and a sixth installment of *The Inscribed Rocks of Narragansett Bay*, by Edmund B. Delabarre, are two of the papers in the April number of the *Rhode Island Historical Society Collections*.

The March number of the *Indiana Magazine of History* contains three articles: *Personal Politics in Indiana, 1860 to 1880*, by Adam A. Leonard; *Joseph Baldwin*, by J. B. Van Buskirk; and *The Family History of Robert Owen*, by Arthur H. Estabrook.

*New England Vessels in the Expedition Against Louisbourg, 1745*, by Howard Millar Chapin, is concluded in *The New England Historical and Genealogical Register* for April.

*The Canadian Militia Before the Great War, The Early Choice of the Forty-ninth Parallel as a Boundary Line*, by Charles O. Paullin, *Louis Riel and the Fenian Raid of 1871*, by A. H. de Trémaudan, and *A Treaty and a Signature*, by Sir John Willison, are four of the contributions in the June number of *The Canadian Historical Review*.

*McClernand and Grant* and a continuation of *The Wilderness Trail*, by George Ives Haight, are two short sketches in the *Chicago Historical Society Bulletin* for April. *Lincoln's Lost Grandmother*, from an address by William E. Barton, and *Mrs. Inglis and Andy Poe*, by George Ives Haight, are two items in the *Bulletin* for May.

*The Historical Collections of the Essex Institute* for July contains, among others, the following continuations of papers and articles: *Salem Vessels and Their Voyages*, by George Granville Putnam, and *The Suppression of Piracy in the West Indies*, by Francis B. C. Bradley.

*The Journal of The Presbyterian Historical Society* is to be issued twice a year, in an enlarged form, instead of quarterly. The April number contains *John Currey McKinney: 1856-1923*, by John Calhoun; *A Calvinistic Founder of America: Peter Minuet*, by James I. Good; and *Presbyterian Churches of Germantown, Mt. Airy and Chestnut Hill*, by William P. White.

A pamphlet entitled *Centennial of the Maine Historical Society, 1822-1922* has recently been issued by the Society. It contains two

papers: *The Maine Historical Society in Brunswick*, by Kenneth C. M. Sills; and *The Maine Historical Society at Portland*, by Augustus F. Moulton.

*New Light on Pattie and the Southwestern Fur Trade*, by Joseph J. Hill, a second installment of the *Memoirs of Major George Bernard Erath*, edited by Lucy A. Erath, and chapter seven of *The Bryan-Hayes Correspondence*, edited by E. W. Winkler, are the three papers in *The Southwestern Historical Quarterly* for April.

*The Meeting of the American Historical Association at New Haven*, *German Feudalism*, by James W. Thompson, and *The Significance of the Military Office in America, 1763-1775*, by Clarence E. Carter, are the three papers in the April number of *The American Historical Review*. Grace L. Nute contributes *Washington and the Potomac: Manuscripts of the Minnesota Historical Society*.

Among the articles and papers in the *Maryland Historical Magazine* for March are the following: *Some Abstracts of Old Baltimore County Records*, by McHenry Howard; "News" from the "*Maryland Gazette*"; a continuation of *James Alfred Pearce*, by Bernard C. Steiner; and *Maryland Items from Delaware Records*, contributed by C. H. B. Turner.

*The Orphan Railroad and the Ram's Horn Right of Way*, by C. H. Hanford, a continuation of *Newspapers of Washington Territory*, and the *Origin of Washington Geographic Names*, by Edmond S. Meany, *Memories of White Salmon and Its Pioneers*, by Albert J. Thompson, and another installment of *The Nisqually Journal*, edited by Victor J. Farrar, are five of the contributions to *The Washington Historical Quarterly* for April.

The *Illinois Catholic Historical Review* for January-April contains five contributions: *The Cahokia Mission Property*, by Joseph J. Thompson; *Colonel Daniel E. McCarthy, U. S. A.*, by Frederic Siedenburgh; *The Log Chapel at Notre Dame*, by Mary E. Sullivan; *Illinois' First Citizen — Pierre Gibault*, by Joseph J. Thompson; and *A Daughter of the Plains*, by A. Zurbonsen.

*Ewing Young in the Fur Trade of the Far Southwest, 1822-1834*, by Joseph J. Hill, *Recollections of Benjamin Franklin Bon-*



ney, by Fred Lockley, and *First Newspapers of Southern Oregon and Their Editors*, by George H. Himes, are the three articles in the March issue of *The Quarterly of the Oregon Historical Society*. Among the documents there is a *Diary of Reverend George Gary*.

Volume XX of the *Collections of the Connecticut Historical Society* contains the *Correspondence of the Brothers Joshua and Jedediah Huntington During the Period of the American Revolution*. This is divided into two parts: one giving a compilation of the papers of Joshua Huntington; the second containing the papers of Jedediah Huntington.

*Missourians Abroad* — *Daniel Cowen Jackling*, by Grace L. Gilmore, *Jayhawkers in Missouri, 1858-1863*, by Hildegard Rose Herklotz, *The New Journalism in Missouri*, by Walter B. Stevens, and a continuation of *A Century of Missouri Music*, by Ernest C Krohn, *The Followers of Duden*, by William G. Bek, *Shelby's Expedition to Mexico*, by John N. Edwards, and *Pioneer Life in Southwest Missouri*, by Wiley Britton, are the seven articles and papers in the April issue of *The Missouri Historical Review*.

*The Progress and Possibilities of Mississippi Valley History*, by Solon J. Buck, *Recruiting and Crimping in Canada for the Northern Forces, 1861-1865*, by William F. Raney, and *The Ranchman's Last Frontier*, by Edward Everett Dale, are the three articles in *The Mississippi Valley Historical Review* for June. Under the heading, *Notes and Documents*, there is a brief discussion of *Historical Material in Washington of Value to the States*, by Newton D. Mereness, and an account and catalogue of the Lesueur collection of American sketches in the Museum of Natural History at Havre, Seine-Inferieure, by Waldo G. Leland.

*Skull Creek, Butler County; Whitney Village, Dawes County; General John M. Thayer; and Site of Plum Creek Massacre* are short sketches in *Nebraska History and Record of Pioneer Days* for July-September, 1922. In the issue for October-December are the following sketches: *A Pioneer Experience in Butler County*, by J. P. Dunlap; *Legend of Weeping Water*, by J. C. Lindberg; and *Otoe Indian Lore*, furnished by Richard Shunatona.

*Some Aspects of Mid-West America*, by Orin G. Libby, *Mississippi Valley Problems and the American Revolution*, by Clarence W. Alvord, and *Some Changes in Local Boundaries and Names in Minnesota*, by Calvin L. Brown, are the three papers in the *Minnesota History Bulletin* for February-May, 1922. In the issue for May, 1923, are *The Nelson-Kindred Campaign of 1882*, by Elmer E. Adams, and *The 1923 Annual Meeting of the Minnesota Historical Society*.

*Cooperation Between State Universities and State Historical Societies*, by Joseph Schafer, *The Battle of Spring Hill*, by Thomas Robson Hay, *Old Blount County Papers*, by W. E. Parham, *Happenings in the White Haven Community, Shelby County, Tennessee*, *Fifty or More Years Ago*, by J. P. Young, and *Old Fort Loudon, the First English Settlement in What Is Now the State of Tennessee and the Fort Loudon Massacre*, by Thos. H. Cooke, are the articles and papers in the *Tennessee Historical Magazine* for July, 1921.

*The Spoon River Country*, by Josephine Craven Chandler, is a long article published in the *Journal of the Illinois State Historical Society* for October, 1921, and January, 1922. This double number also contains *Some Poets of Illinois*, by Stuart Brown; *History of the Gallatin County Salines*, by Jacob W. Myers; *Camp Butler*, by William I. Kincaid; and *Early Schools and Churches of Edgar County, Illinois*, by Rose Moss Scott.

In addition to the report of the meeting of the New York State Historical Association at Lake Mohonk on September 26-28, 1922, *The Quarterly Journal of the New York State Historical Association* for January contains the following papers and addresses: *George Croghan and the Development of Central New York, 1763-1800*, by A. T. Volwiler; *Indians of New York and Vicinity*, by W. R. Blackie; and *Our Colonial Heritage of Community Medicine*, by Elizabeth Tandy.

The State Historical Society of Missouri has begun the publication of a series entitled *The Messages and Proclamations of the Governors of the State of Missouri*, compiled and edited by Buel

Leopard and Floyd C. Shoemaker. The three volumes which have already been published contain the papers of the first sixteen Governors of the State of Missouri, beginning with those of Alexander McNair who was Governor of Missouri from 1820 to 1824. A biographical sketch of each Governor precedes his messages and proclamations.

*The Proceedings of Fourth Annual Conference on Indiana History*, held at Indianapolis on December 8 and 9, 1922, has been published by the Indiana Historical Commission as Bulletin No. 17. Among the papers and addresses included in the bulletin are the following: *The Question of Pageantry*, by George S. Cottman; *Archeological and Historical Survey*, by John W. Oliver; *History of the Anthony Wayne Flag*, by P. G. Moore; *Our Relation to History*, by Benjamin F. Shambaugh; *The Co-operation of the Indiana Federation of Clubs with State Historical Work*, by Mrs. W. J. Torrance; *Lincoln's Boyhood Days in Indiana*, by Roscoe Kiper; *Early Northern Indiana History*, by Jacob P. Dunn; and *A Century of Fort Wayne*, by B. J. Griswold. There was also an address by Hamlin Garland.

*Spanish Colonial Municipalities*, by Herbert I. Priestly, *Céard's Case, 1724*, edited by Henry Plauché Dart and translated by Mrs. H. H. Cruzat, and *Pierre Margry*, by Bussiere Rouen, are articles and papers in *The Louisiana Historical Quarterly* for April, 1922. In the number for July, 1922, Grace King writes on *Baron Marc de Villiers du Terrage*, Henry Plauché Dart contributes *Politics in Louisiana in 1724*, Fairfax Harrison *The Virginians on the Ohio and the Mississippi in 1742*, and John S. Kendall *The Municipal Elections of 1858*. There is also a biography of George H. Theard, by Henry Plauché Dart, *The Hunt Family*, by James A. Renshaw, and *Mrs. Louise Livingston, Wife of Edward Livingston*, compiled by W. O. Hart. *Early Commercial Prestige of New Orleans*, by Henry E. Chambers, *A Gentleman of Pointe Coupee*, by Henry Plauché Dart, *Daniel Webster in Louisiana History*, by J. M. Pilcher, sketches of the life of J. Sanford Saltus, by E. A. Parsons and W. O. Hart, *Andrew Jackson and Judge D. A. Hall*, a report of the committee of the Louisiana Senate in 1843, and another

installment of the *Records of the Superior Council of Louisiana* are articles and papers in the number for October, 1922.

## ACTIVITIES

The Minnesota Historical Society has recently received a collection of the letters of the late Senator Knute Nelson.

The twenty-second biennial report of the Minnesota Historical Society covering the years 1921 and 1922 has been published as an extra number of the *Minnesota History Bulletin*.

Harlow Lindley, the head of the department of history, and librarian at Earlham College, Indiana, has accepted the position of Director of the Indiana Historical Commission, to succeed John W. Oliver who resigned to become head of the department of history at the University of Pittsburgh.

The Mississippi State Department of Archives and History has in preparation ten volumes entitled *Jefferson Davis, Constitutional-ist, His Letters, Papers and Speeches*. The compilation is edited by Dunbar Rowland, the State Historian of Mississippi.

Officers of the Wapello County Historical Society were chosen at a meeting of the directors on May 11, 1923. State Senator Frank D. Shane was elected president; Mrs. H. L. Waterman, vice president; D. A. Emery, treasurer; and Mrs. F. B. Thrall, secretary. A meeting of the society was held on May 25th. The president spoke on the purposes of the association, W. S. Manning discussed "Historical Societies in Iowa", and Mrs. John McMillan talked of Garri-son Rock and its history. The society will participate in the celebration of Ottumwa's diamond jubilee, which is to be held on August 7-11, 1923.

The nineteenth annual meeting of the Madison County Historical Society was held at Winterset on April 24, 1923. D. J. Shentone spoke on the value of historical records; E. R. Zeller read an account of the dedication of the Delicious Apple tree; and Ruth A. Gallaher of the State Historical Society gave a talk on "Group Settlements in Iowa". The election resulted in the selection of the following officers: president, Herman A. Mueller of St. Charles;

vice president, John Anderson of Winterset; and secretary-treasurer, Mrs. T. M. Scott of Winterset. The Society has a museum located in the courthouse which contains some interesting and valuable relics of pioneer life.

At the regular summer meeting of the Minnesota Historical Society, held at Redwood Falls on June 22 and 23, 1923, the following papers were presented: "The Fisk Expeditions to the Gold Country", by Lester Burrell Shippee; "Navigation on the Red River of the North, 1858-1879", by Fred A. Bill; "Minnesota's Contribution to the Spanish-American War", by Franklin F. Holbrook; "Lawrence Taliaferro and Indian Affairs at the St. Peter's Agency, 1820-1840", by Willoughby M. Babcock, Jr.; "Territorial Encouragement of Immigration to Minnesota", by Livia Appel; "The Long and Beltrami Explorations in Minnesota One Hundred Years Ago", by Theodore Christianson; and "The Causes of the Sioux War", by William W. Folwell, read by Solon J. Buck.

#### THE STATE HISTORICAL SOCIETY OF IOWA

Two volumes on *The Food Administration in Iowa*, by Ivan L. Pollock, are now in press. These form a part of the series issued by The State Historical Society of Iowa under the title *Iowa Chronicles of the World War*. Four volumes in this series have already been distributed.

Bruce E. Mahan has been elected Associate Editor of The State Historical Society of Iowa, succeeding John C. Parish who resigned a year ago to accept a position in the history department of the Southern Branch of the State University of California.

Dr. Benjamin F. Shambaugh, the Superintendent of The State Historical Society, gave the high school commencement address at Clinton on the subject, "The West and the Pioneers".

The State Historical Society has now in press a *History of the Sixth Iowa Infantry*. The history was prepared by General Henry H. Wright during the period following 1898, but it was not entirely completed at the time of his death in 1905. In 1922 the manuscript was turned over to the Historical Society and prepared

for publication. The Sixth Iowa Infantry was mustered into United States service on July 17 and 18, 1861, and was finally demobilized on July 28, 1865.

The regular biennial meeting of The State Historical Society of Iowa was held at Iowa City on June 25, 1923. The principal business transacted was the election of the nine resident members of the Board of Curators, the following being chosen: Arthur J. Cox, Marvin H. Dey, Henry G. Walker, S. A. Swisher, Charles M. Dutcher, Morton C. Mumma, W. O. Coast, W. L. Bywater, and Thomas Farrell. Nine other members of the Board are appointed by the Governor of Iowa. At the first meeting of the new Board, held on July 3, 1923, Marvin H. Dey was elected President of the Board and Paul A. Korab Treasurer. These officers are *ex officio* the officers for the Society.

The following persons have recently been elected to membership in the Society: Mr. Birchard Brush, Osage, Iowa; Mrs. Eva Burnett, Clarinda, Iowa; Mr. Roy H. Chamberlain, Iowa City, Iowa; Mr. L. J. Clarke, Eagle Grove, Iowa; Mr. Clark E. Daniels, Des Moines, Iowa; Mrs. Lizzie J. McCornack, Traer, Iowa; Mr. Geo. Potgeter, Steamboat Rock, Iowa; Mr. J. P. O'Sullivan, Chariton, Iowa; Mrs. Cora A. Wahrer, Montrose, Iowa; Mrs. N. B. Ashby, Des Moines, Iowa; Mr. Chas. C. Deering, Des Moines, Iowa; Mr. Jacques A. Frech, Algona, Iowa; Mrs. Willis A. Lomas, Villisca, Iowa; Mr. Jesse A. Miller, Des Moines, Iowa; Mr. Julian C. Spurgeon, Ottumwa, Iowa; Mr. Preston L. Sever, Stuart, Iowa; Mr. Geo. A. Letson, Des Moines, Iowa. Mr. C. W. Bond, Burlington, Iowa; Rev. Joseph B. Code, Keokuk, Iowa; Miss Lucille Crose, Algona, Iowa; Dr. John Downs, Ft. Madison, Iowa; Mrs. J. J. Fleming, Burlington, Iowa; Mr. W. A. Jackson, Iowa City, Iowa; Miss Anna Stewart, Ft. Madison, Iowa; Mr. W. A. Wilkinson, Davenport, Iowa; Mr. Harold D. Hoffman, Mechanicsville, Iowa; Dr. Raymond E. Peck, Davenport, Iowa. Mr. W. D. Cannon, Jr., Iowa City, Iowa, Mr. Frank E. Landers, Webster City, Iowa, Mr. Wm. C. McArthur, Des Moines, Iowa, Miss Ethyl E. Martin, Iowa City, Iowa, and Mr. Thomas D. Murphy, Red Oak, Iowa, have been enrolled as life members.

## NOTES AND COMMENT

James L. Hill has a collection of some two thousand Indian curios which he has promised to donate to Grinnell College.

An historical pageant of Jones County was given at Anamosa on July 3 and 4, 1923. Episodes in the history of the vicinity were portrayed by a large cast.

Thomas F. Dawson, Historian and Curator of the State Historical and Natural History Society of Colorado was killed in an automobile accident in June, 1923.

The annual memorial service of the Hawkeye Natives was held at Burlington on June 3, 1923. Thomas S. Pool of Mt. Pleasant gave an address on the history of Iowa from the time Burlington was the capital down to the present.

On the 14th of June, 1923, the Daughters of the American Revolution at Dubuque placed a large boulder of Galena limestone as a marker of the grave of Julien Dubuque and the spot where Zebulon M. Pike unfurled the American flag on his visit at Dubuque's Mines on September 1, 1805.

Early settlers of Sioux City met at a dinner on April 10, 1923, as the guests of Georgia Barnard Brown who arrived in the city forty-two years ago. C. R. Marks spoke on "The First Sioux City I Knew" and Kate Hubbard described "The Sioux City My Father, A. W. Hubbard, Knew".

The annual meeting of the Pioneers of Cedar County was held at Tipton on June 9, 1923. The following officers were elected for the ensuing year: president, Peter McNee; vice president, Charles Swartzlender; secretary, F. L. Sheldon; and treasurer, J. W. Reeder. Talks were given by M. Grether and Albert M. Sheldon.

The Iowa Press and Authors' Club held its annual meeting at Des Moines on May 7, 1923. Lewis Worthington Smith was elected president; Detliv Tillisch and Fred Pownall, vice presidents; Mrs.

Jansen Haines, secretary; Margaret Walker, treasurer; Mrs. Fred Wertz, librarian; and Mrs. James Le Cron, historian. Arthur Davison Ficke was chosen honorary president. Members of the executive board in addition to the officers are Harriet Macy, Johnson Brigham, Lafe Young, Sr., Mrs. J. M. Tomlinson, and J. B. Weaver.

THE CELEBRATION OF THE TWO HUNDRED AND FIFTIETH ANNIVERSARY  
OF THE ARRIVAL OF JOLIET AND MARQUETTE IN IOWA

The State Historical Society of Iowa sponsored an historical celebration and pageant from June 17 to 27, 1923, in commemoration of the two hundred and fiftieth anniversary of the discovery of Iowa by Monsieur Louis Joliet and Father Jacques Marquette. Ben Hur Wilson of Mount Pleasant was the general chairman. Cities along the eastern border of Iowa assumed responsibility for different features of the celebration: Burlington provided a replica voyage down the Mississippi River; Fort Madison, Keokuk, Mount Pleasant, and Montrose united on an all-day program on June twenty-seventh; and the cities of McGregor, Guttenberg, Dubuque, Bellevue, Clinton, Davenport, Muscatine, Oquawka, Burlington, Fort Madison, and Montrose welcomed and entertained the 1923 voyagers with appropriate ceremonies.

On the replica voyage C. W. Bond, Secretary of the Greater Burlington Association, interpreted the character of Louis Joliet, while Bruce E. Mahan, Associate Editor of the State Historical Society of Iowa, enacted the rôle of Father Marquette. Young men from the United States Naval Training Unit at Burlington depicted the French boatmen, and representatives from *The Burlington Hawk-Eye*, *The Burlington Gazette*, *The Des Moines Register*, and the Pathé moving picture corporation accompanied the modern explorers in a motor launch.

Leaving Prairie du Chien, Wisconsin, on the afternoon of June 17th, the voyageurs paid a short visit to McGregor, Iowa. The official start began at the mouth of the Wisconsin River late that afternoon. A stiff south wind and high waves made progress in the canoes almost impossible and an accident to the launch delayed the



arrival at Guttenberg until late at night. A cordial welcome by hundreds of people at the water front presaged a series of friendly greetings throughout the two hundred and fifty mile journey.

At every stop the modern explorers took part in a program of speeches, were feasted and shown places of interest in the vicinity, then were wished a *bon voyage* at their departure much in the same spirit as the original travellers were greeted by the Illinois Indians on the Iowa shore two hundred and fifty years ago.

Finally, in a large park at Burlington a pageant enacted by a cast of more than two hundred people before a vast audience depicted the meeting of Marquette and Joliet with the Illinois Indians, and an address by Father Christopher Kohne of the Jesuit Order was an eloquent tribute to the discoverers of Iowa. This program was under the auspices of the Women's Catholic League with Mrs. J. J. Fleming as chairman.

On the next day the celebration at Montrose began with the erection of a marker by the Fort Madison Chapter of the Daughters of the American Revolution at the grave of Ka-la-we-quois three miles north of Montrose. With R. N. Johnson presiding, Miss Carmen Brown read Mrs. Sigourney's poem, "The Indian Girl's Burial", and J. P. Cruikshank told the story of Ka-la-we-quois.

Later in the forenoon the Women's Civic Club of Montrose erected a marker at the site of the barrack's well of Fort Des Moines, No. I, on the Montrose water front. J. P. Cruikshank presided, the Keokuk Municipal Band rendered a medley of patriotic airs, and Benj. F. Shambaugh, Superintendent of the State Historical Society of Iowa, delivered an address, Judge William Hamilton of Fort Madison being unable to be present.

A reception to the replica voyageurs at the water front near the site of Fort Des Moines No. I was followed by a picnic dinner at Bluff Park.

In the afternoon Benj. F. Shambaugh presided at the program. J. P. Kennedy of Montrose delivered an address of welcome and the response was made by U. S. Smith, President of Iowa Wesleyan College. Father A. J. Zaiser of Fort Madison praised the deeds of the original discoverers of Iowa and John Hammill, Lieutenant Governor of Iowa, made the principal address of the afternoon.

There followed a concert at the Park by the Keokuk Municipal Band and then students of Iowa Wesleyan College produced a pageant on the water front depicting the landing of Joliet and Marquette and their visit to the Indians.

Late in the afternoon the Keokuk Chapter of the Daughters of the American Revolution erected a marker at the site of the first school in Iowa, taught by Berryman Jennings in 1830 at Nashville (now Galland Station), two and one-half miles south of Montrose. Mrs. Elizabeth Ballinger presided. The Keokuk Band played "Iowa Beautiful Land" and G. W. Sampson of Cedar Falls appeared for Miss May E. Francis, State Superintendent of Public Instruction, and read her address. A "Pageant Petite" was given by school children under the direction of Mrs. Leonard Matless of Keokuk.

The following committees coöperating with the State Historical Society of Iowa had charge of various details of the ten day celebration:

CENTRAL COMMITTEE: Ben Hur Wilson, Mount Pleasant, General Chairman; Mrs. Clare Beard, Montrose; John Ely Briggs, Iowa City; Edward F. Carter, Keokuk; J. P. Cruikshank, Fort Madison; John Downs, Fort Madison; Mrs. J. J. Fleming, Burlington; Joshua Tracy Garrett, Burlington; Fred C. Huebner, Albia; H. E. Jaques, Mount Pleasant; John G. Scott, Keokuk; Benj. F. Shambaugh, Iowa City.

ON PROGRAM: Fred C. Huebner, Albia; Benj. F. Shambaugh, Iowa City; Ben Hur Wilson, Mount Pleasant; Mrs. J. J. Fleming, Burlington; Miss Anna Stewart, Fort Madison.

ON GROUNDS: (Montrose Project) John G. Scott, Keokuk; Walter Phillips, Tracy; J. P. Kennedy, Montrose; F. O. Wilcox, Montrose; Mrs. Kathryn Buck, Montrose.

ON MARKING HISTORIC SITES: (Fort Madison Project) J. P. Cruikshank, Fort Madison; Rollin B. Carswell, Fort Madison; E. H. Pollard, Fort Madison; R. V. Jones, Fort Madison; Malcolm McFarland, Fort Madison.

ON REPLICA VOYAGE: (Burlington Project) Joshua Tracy Garrett, Burlington; J. J. Fleming, Burlington; E. W. Jackson, Burlington; Fred K. Minor, Burlington; C. W. Bond, Burlington.

ON ENTERTAINMENT: (Montrose Project) Mrs. Clare Beard, Montrose; Mrs. Isadore Duty, Montrose; Mrs. Cora A. Wahrer, Montrose; Mrs. Margaret Kennedy, Montrose; Mrs. Dorcas Kennedy, Montrose.

ON BAND MUSIC: (Keokuk Project) Edward F. Carter, Keokuk; Vernon R. McKay, Keokuk; W. H. Bowers, Keokuk; L. J. Wolf, Keokuk; Thomas F. Wettstein, Keokuk.

ON HISTORICAL PAGEANT: (Mount Pleasant Project) H. E. Jaques, Mount Pleasant; Ira G. Morrison, Mount Pleasant; G. C. Archer, Montrose; Miss Mary Pool, Mount Pleasant; Charles W. Mountain, Mount Pleasant.

ON PUBLICITY: John Ely Briggs, Iowa City; Bruce E. Mahan, Iowa City; Frederic C. Smith, Keokuk; Leon Brown, Des Moines; Bernard Glaha, Fort Madison.

ON EXHIBITS: John Downs, Fort Madison; Mrs. Sarah Casey, Fort Madison, Wm. Reimbold, Nauvoo, Ill.; T. W. McMillan, Mount Pleasant; Edgar R. Harlan, Des Moines.

#### HORACE BOIES

Horace Boies, twice Governor of the State of Iowa and the only Democrat to hold that office since Stephen Hempstead whose term expired in 1854, died at Long Beach, California, on April 4, 1923. He was born at Aurora, Erie County, New York, on December 7, 1827. After a trip to Wisconsin when he was sixteen years of age he returned to Erie County where he studied law and was admitted to the bar.

In 1867 Mr. Boies came to Iowa and located at Waterloo. Although he had been a Republican in New York, Boies was opposed to the attitude of that party on the prohibition question in Iowa and he joined the Democratic party. In 1889 he was nominated

for Governor and elected, although Iowa was overwhelmingly Republican. Two years later he was reelected but was defeated by Frank D. Jackson in a campaign for a third term.

Governor Boies was also considered as a candidate for President by two national Democratic conventions. When President Cleveland was making up his second cabinet Boies was offered the place of Secretary of Agriculture but refused it on the rather unusual ground that he felt himself to be unfitted for the position.

The funeral of the ex-Governor was held at Waterloo on April 11, 1923.

## CONTRIBUTORS

IRVING BERDINE RICHMAN. Born at Muscatine, Iowa, on October 27, 1861. Received the B. A. degree from the State University of Iowa in 1883 and the M. A. degree in 1886. Admitted to the bar in 1885. Author of *John Brown Among the Quakers and Other Sketches, Rhode Island, Its Making and Its Meaning, California Under Spain and Mexico, San Francisco Bay and California in 1776*, and *The Spanish Conquerors*.

HERMAN CLARENCE NIXON. Born at Merrellton, Alabama, on December 29, 1886. Graduate of Alabama Polytechnic Institute and the University of Chicago. Taught history at the Alabama State Normal School, 1910-1913, and at Birmingham Southern College, 1920-1921, and is now an instructor in history at the Iowa State College of Agriculture and Mechanic Arts. Did clerical service in the office of the chief ordnance officer of the American Expeditionary Forces in 1918 and library and research duty with the American Commission to Negotiate Peace from December, 1918, to December, 1919. Author of *Alexander Beaufort Meek in the Alabama Polytechnic Institute Historical Studies*, 1910, and *Political Revolt in the Middle West in Iowa Agriculturist*, January, 1923.

RUTH LOVING HIGGINS. Born at Columbus, Ohio, on June 21, 1895. Attended high school at Columbus, received the degree of B. A. from the Ohio State University in 1917, and the M. A. degree from the same institution in 1921. Taught history and civics in the high schools at Bloomingburg, Dover, and Worthington, Ohio. Scholar in history and political science at the Ohio State University in 1920-1921 and fellow for 1921-1922.

# THE STATE HISTORICAL SOCIETY OF IOWA:

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INCORPORATED: 1867 AND 1893  
LOCATED AT IOWA CITY IOWA

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EDITOR  
BENJAMIN F. SHAMBAUGH

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## THE LEGISLATION OF THE FORTIETH GENERAL ASSEMBLY OF IOWA

It is provided in the Constitution of Iowa that "the sessions of the General Assembly shall be biennial, and shall commence on the second Monday in January next ensuing the election of its members".<sup>1</sup> In accordance with this provision the Senate and the House of Representatives of the Fortieth General Assembly convened in the State House at Des Moines on January 8, 1923. They adjourned one hundred days later, on April 17th. With one exception this was the longest regular session of the State legislature in the history of Iowa: in 1872 one hundred and seven days elapsed between the convening and adjournment of the General Assembly.

The length of the session of the Fortieth General Assembly may be contrasted with the eighty-nine days consumed by the Thirty-ninth General Assembly — which was the shortest session since 1909 when the Thirty-third General Assembly also remained in session eighty-nine days. The Thirty-fourth General Assembly, which met in 1911, consumed ninety-four days; while the sessions of the Thirty-fifth, Thirty-sixth, Thirty-seventh, and Thirty-eighth General Assemblies lasted ninety-seven days each. Although one hundred days elapsed between the convening and the adjournment of the Fortieth General Assembly, both houses were in actual session only seventy-five days. Besides the fourteen Sundays and the customary spring recess, which was taken from February 24th to March 5th

<sup>1</sup> *Constitution of Iowa*, Art. III, Sec. 2.

inclusive in order that the members might attend to business matters at home, the legislature also recessed on January 12th, 13th, and 14th. On the basis of the number of days actually in session the members of this General Assembly received slightly over \$13.33 a day for their services.<sup>2</sup>

The total cost of the Fortieth General Assembly, exclusive of printing, was \$241,809.89. This included the salary and mileage of members, the salaries of employees during the session and after adjournment, chaplains' fees, and sums spent for extra help in the administrative departments made necessary because the legislature was in session. Thus the session occasioned an expenditure of \$2418.10 per day. Although the total cost of the Fortieth General Assembly was greater than that of its predecessor, the cost per day was slightly less. The session of the legislature which met in 1921 cost \$228,868.70, or \$2571.56 per day. If the cost per day is computed on the basis of the number of days actually in session, the daily cost of the Fortieth General Assembly was approximately \$3224; while the cost per day of the Thirty-ninth General Assembly was \$3415.95.<sup>3</sup>

#### THE WORK OF THE SESSION

Some idea of the work of the Fortieth General Assembly may be obtained from a summary of the number of bills considered. During the session no less than 1606 measures

<sup>2</sup> *Acts of the Fortieth General Assembly*, p. 1; *Senate Journal*, 1923, pp. 162, 644; *House Journal*, 1923, pp. 164, 165, 709, 710.

<sup>3</sup> The data on the cost of the legislature was furnished by the office of the Auditor of State and the facts from which the statistical information in the following paragraphs was compiled were obtained from the bill files and *Acts of the Fortieth General Assembly*, the *Senate Journal* and *House Journal* of the Fortieth General Assembly, and the *Index and History of Senate and House Bills*, 1923. All tabulations and summaries were carefully checked.

were introduced.<sup>4</sup> Of these, 760 bills and 4 joint resolutions originated in the Senate and 832 bills and 10 joint resolutions originated in the House of Representatives. The unusually large number of bills introduced in both houses can be accounted for by the fact that 262 code revision bills were introduced as companion bills in both houses on January 18th and 19th. If allowance is made for these bills it will be seen that the number of measures introduced was 1082, of which 498 bills and 4 joint resolutions were Senate measures and 570 bills and 10 joint resolutions were measures originating in the House of Representatives. Thus the number of measures introduced in the Fortieth General Assembly is not very different from the number introduced in the Thirty-eighth and Thirty-ninth General Assemblies when the totals were 1134 and 1147 respectively.

The fact that the code revision bills were introduced in both houses makes exact comparisons of the work of the Fortieth General Assembly with the work of other legislatures of recent years impossible in some respects. For this reason the code bills will be ignored in the statistical statements that follow unless it is specifically stated that they are included. At the same time action upon the code revision bills did represent an important part of the work of the regular session of the Fortieth General Assembly and consumed a great amount of time. A statement of what happened to the proposed code legislation will therefore not be out of place in this connection.

Of the 262 code revision bills that were introduced, 54 passed both houses and were signed by the Governor; 162 were lost in committee — of which 116 were lost in the com-

<sup>4</sup> Although a total of file numbers and joint resolutions would indicate that 1607 measures, including the 524 code revision bills, were introduced, there were actually only 1606 because Senate File Number 467 was declared void and therefore not counted.

mittee to which they were originally referred, 33 were reported to the house by the committee, re-referred to another committee, and lost there, and 13 passed one house, were sent to the other chamber, and were lost in the committee to which they were there referred; 8 code revision bills were lost because the originating house to which the bill was reported failed to take action; and 19 were lost because the Senate failed to act on bills that had passed the House and were reported to the Senate by its committee. The House disposed of no code revision bills in the latter manner. Moreover, 12 code revision bills were withdrawn because they were superseded by legislation of the Thirty-ninth or Fortieth General Assemblies, 4 were indefinitely postponed in the house in which they originated, 2 were indefinitely postponed after having passed one house, and 1 was lost in conference committee.<sup>5</sup>

Of the 1082 measures that were introduced, exclusive of code revision bills, 502 originated in the Senate and 580 in the House of Representatives. The House took action upon 373 of its own measures; and 212 of these were also acted upon by the Senate. The Senate took action upon 347 of its own measures; and 206 of these were also acted upon by the House.<sup>6</sup> In all, 393 measures (387 acts and 6

<sup>5</sup> In general the odd numbered code revision bills were regarded as Senate files and the even numbered ones were regarded as House files. There were some exceptions to this rule, however, for at least two odd numbered code revision bills that were enacted are listed among the House files. For this reason in making the above tabulation the bills were treated as belonging to the files of the house in which they made most progress.

<sup>6</sup> Action in this case is construed to mean that a bill has come to or beyond the stage of being placed on the calendar. This means, in most cases, that a committee report recommending final action has been adopted or rejected, which implies that the whole house has expressed an opinion on the merits of the measure. When a bill was merely passed on file, re-referred, or substituted before or after a committee report such disposition has not been regarded as action by the house.

joint resolutions), including the 54 code bills enacted, passed both houses and 388 of them became laws. In other words, five measures were vetoed by the Governor. One hundred and seven measures received the executive signature after the date of adjournment, all but one being signed during the four days following the close of the session and that one on April 24th.

Three of the measures vetoed by the Governor were Senate files — the gasoline tax bill, a measure to amend that bill, and a bill to change the time for the payment of taxes. Two of the vetoed measures originated in the House of Representatives — one designed to amend the law relative to the powers of the Board of Railroad Commissioners over long and short haul rates of common carriers<sup>7</sup> and the other proposing State aid to private colleges for teacher training. The long and short haul bill received formal executive disapproval on April 4th; the two gasoline tax bills were vetoed on April 23rd; while the other two measures, which are listed with proper notations in the session laws as chapters 64 and 150 respectively, were filed with the Secretary of State on May 8th and May 2nd respectively unsigned by the Governor and consequently did not become law.

Exclusive of code revision bills, 160 measures that gained enactment originated in the Senate and the remaining 174 in the House of Representatives. There were 44 Senate bills and one Senate joint resolution which failed to pass the House; while 79 House bills and 2 House joint resolutions failed to pass the Senate. During the last two sessions of the legislature it seems that the Senate has been less considerate of measures that have already passed the

<sup>7</sup> Senate File Nos. 273, 739, 759; House File Nos. 285, 352. House File No. 1 of the extra session which was another "follow-up" of the gasoline tax measure was also vetoed by the Governor.— See *Index and History of Senate and House Bills*, 1923, p. 4.

House than the lower branch of the legislature has been of measures originating in the upper chamber. In 1921 the Senate failed to pass 103 measures that had passed the House; while the House failed to pass only 45 of the measures that had passed the Senate.<sup>8</sup> In the Thirty-eighth General Assembly, however, nearly twice as many Senate bills failed to pass the House as House bills failed to pass the Senate.

Slightly more than twenty-four per cent of all measures introduced in the Fortieth General Assembly became laws. This percentage is much lower than in the two preceding General Assemblies when the number of measures enacted was approximately thirty-six per cent of the number introduced. If, however, the code revision bills are not considered the percentage of measures passed is raised to over thirty per cent. The Senate passed slightly more than forty-one per cent of its measures, exclusive of code bills; while the House passed slightly more than forty-three per cent of the measures it originated. Although the lower house passed a somewhat larger percentage of its measures than did the Senate, the difference is not so great as was the case in the Thirty-ninth General Assembly when the Senate passed approximately forty-six per cent of its own measures and the House passed nearly fifty-two per cent of the House measures. The situation in this regard in the Thirty-eighth General Assembly was almost the exact reverse of that in the Thirty-ninth General Assembly. From the record made by the two chambers it appears that during the last two sessions of the legislature the House has been able to dispose of business with as much or more expedition than the Senate. Perhaps this may be attributed to

<sup>8</sup> This same tendency is manifest in regard to code revision bills of which 32 were lost in the Senate after having passed the House and only 2 were lost in the House after having passed the Senate.

the installation of the electrical voting mechanism which was first used in 1921.

One hundred and twenty-nine acts (including two joint resolutions) — a third of all the laws passed by both houses and signed by the Governor — were deemed of immediate importance and declared to be in effect upon publication. Although this number is less than were declared in effect on publication by the Thirty-ninth General Assembly when no less than 191 acts (over forty-six per cent) were declared in effect after being published, it is a larger number than were treated in this manner by the Thirty-eighth General Assembly which deemed 116 measures of immediate importance.<sup>9</sup> The remaining measures became effective on July 4, 1923, unless otherwise provided. It is also significant that all except 6 of the 43 legalizing acts passed in 1923 were declared in effect upon publication.

As was the case with the legislation that failed of passage in the Thirty-ninth General Assembly, by far the greater number of measures were defeated in the chamber where they were introduced. Of the 406 House measures that failed, 81 were lost in the Senate, 2 were vetoed by the Governor, while the remaining 323 were lost in the House itself. Of the 342 Senate measures that failed of enactment, 45 were lost in the House, 1 was lost in conference committee, the Governor vetoed 3, while the remaining 293 were lost in the Senate.

There was nothing unusual about the methods used by the Fortieth General Assembly in defeating measures, except perhaps that no bills were defeated by striking out the enacting clause. Two hundred and sixteen bills and 3 joint resolutions of the 748 measures that failed of enactment were withdrawn. Many of these were withdrawn because

<sup>9</sup> In three instances a separate act was used to provide for the publication of a statute.



a companion bill had been introduced in the other house and had been substituted for the measure. Moreover, this practice has the parliamentary advantage of disposing of a bill without prejudice and leaves the way open for reintroduction in the same or another session when the chances for its enactment seem more favorable. In the Thirty-ninth General Assembly more measures were disposed of in this way than by any other method; but in the Fortieth General Assembly more measures were lost in committee than in any other way. Two hundred and twenty-eight measures were disposed of in committee, as compared with 174 by the legislature which met in 1921. Moreover, 175 measures were indefinitely postponed, and 17 were lost because one of the houses failed to take action. Only 55 measures were lost by an adverse vote when put on final passage. This is 14 less than the number of bills which failed to receive the constitutional majority on final vote in the Thirty-ninth General Assembly. A few bills were lost by being passed on file or placed on the calendar and no further action taken; while several were lost because other bills on the same subject were substituted for them.<sup>10</sup>

Of the total number of measures (exclusive of code revision bills) introduced in both houses, only 142 were introduced by committees (80 by Senate committees and 62 by House committees); while 940, or almost eighty-seven per cent, were introduced by individual members. Of these, 422 were introduced by Senators and 518 by members of the House of Representatives. The average number of bills per member introduced in the Fortieth General Assembly was approximately eight and two-fifths for the Senate,

<sup>10</sup> Judging from the content of the session laws, it appears that in a number of instances the substance of a bill was included in another although no formal statement of the substitution was made. In these cases the bills were counted among those that failed although in substance they really were enacted.

while for the House the average was approximately four and four-fifths. As usual the number of bills introduced by individual members was, roughly speaking, inversely proportional to the size of the house.<sup>11</sup>

The largest number of bills introduced in the Senate by one member was 28 by Senator J. D. Buser, who also holds the record of the whole Assembly in the introduction of bills. Representative Volney Diltz holds the record in the House, having introduced 24 bills, in spite of the fact that he was serving his first term in the legislature. Senators W. J. Goodwin, B. M. Stoddard, and D. W. Kimberly having introduced 17, 16, and 15 bills respectively are entitled to second, third, and fourth places on the list of those who introduced the largest number of bills in the Senate. Senators T. C. Cessna, F. C. Gilchrist, P. C. Holdoegel, B. J. Horchem, and E. W. Romkey each introduced fourteen measures. Senators William Schmedika, R. P. Scott, and J. M. Slosson are each credited with having introduced only one bill; while Senators J. K. Hale, W. G. Haskell, J. A. Nelson, and Frank Shane introduced two each. As has been mentioned Representative Diltz holds first place for introducing most bills in the House. Next highest is Representative W. C. Children who introduced 22; third, Representative A. O. Hauge with 19 measures; and fourth, Representative L. B. Forsling who introduced 18 measures. It is interesting to note that in the last three sessions of the legislature the first place for introducing the largest number of bills in both houses has been held, with one exception, by members from Polk County. In the Thirty-eighth and Thirty-ninth General Assemblies the place was held in the Senate by Addison M. Parker, but in the Fortieth, as has been mentioned, it was held by J. D. Buser from Musca-

<sup>11</sup> Some members introduced measures as committee bills which, of course, are not counted in the following summary.

tine County. In the House of Representatives, first place was held by A. O. Hauge in 1919 and also in 1921. In 1923, Mr. Hauge occupied third place; while his colleague from Polk County, Mr. Diltz, held first place. Although every Senator introduced at least one measure, there were sixteen members of the lower house who introduced none and nineteen who introduced only one measure each.

Only two bills were introduced by request in the Senate and only 15 in the House. Of these, four (one Senate measure and three House measures) became law. The largest number of pages contained in any single bill was 45. One bill of this length was introduced in each chamber and another, containing 44 pages, was introduced in the House. Several bills contained between 30 and 40 pages.

As has usually been the case, most of the legislation of the Fortieth General Assembly was passed before the last week of the session.<sup>12</sup> Before April 11th action up to the stage of enrollment had been taken on 182 measures, exclusive of code bills — a little over fifty-four per cent of the total number of ordinary enactments. This percentage is lower than in the case of the Thirty-eighth and Thirty-ninth General Assemblies when sixty-eight and fifty-six per cent of enactments respectively passed before the last week. While 152 measures passed the Fortieth General Assembly during the last week, only 71 measures passed both houses during that time. In 1921 only 45 out of 179 measures enacted during the last week passed both houses during that period. Of the 152 measures that passed one or both houses during the last week in 1923, it appears that 13 were introduced in January, 45 in February, 62 in March, and 32 in April. From this record it appears that, although almost half of the laws enacted passed one or both houses during

<sup>12</sup> The last week of the session has been taken to include April 11th, 12th, 13th, 14th, 16th, and 17th.

the last week, the great majority of measures that became law were under consideration in one or both houses for a much longer period of time. The only action on twenty-three of the bills that passed one or both houses during the last week was to concur in amendments made by the other house. Only 16 measures ran the entire course from introduction through passage after April 10th.<sup>13</sup>

As usual, sifting committees for the purpose of selecting the important measures from the bills remaining in the legislative hopper near the close of the session were appointed by both houses of the Fortieth General Assembly. The committee to act in this capacity for the Senate was announced on April 4th and six days later, on April 10th, the Speaker of the House announced the members who were to act as the House Sifting Committee. Two hundred and eighty-one measures were referred to these committees.<sup>14</sup> One hundred and eighty-seven of these were referred to the Senate Sifting Committee — 80 being Senate files, 103 House files, and 4 House joint resolutions. Of these 80 Senate files, 12 were reported out, 3 of which became law; while of the 107 House measures (103 House bills and 4 House joint resolutions), 65 were reported out and 56 were enacted. The Sifting Committee in the House had 94 measures referred to it — 32 Senate bills and 62 House bills. Of the 62 House bills not a single one was reported out; but

<sup>13</sup> To bring this out more clearly it might be mentioned that the Senate took action on 39 House files during the last week (32 of these became law) and of these, 19 passed the lower house in March and 20 in April prior to April 11th. Likewise the House acted upon 55 Senate files during the last week (48 of these became law) and of these, 30 passed the Senate in March and 25 in April prior to April 11th. This goes to show that these measures were under consideration for some time before the last week of the session and final vote.

<sup>14</sup> *Senate Journal*, 1923, p. 1286; *House Journal*, 1923, pp. 1607, 1608. This number represents four duplications in that four Senate bills were first considered by the Senate Sifting Committee and later by the Sifting Committee in the House.

12 of the 32 Senate bills were reported out, and 6 of these became law. It may be inferred from these figures and from the experience in previous sessions of the legislature that the measures which have already passed one branch of the legislature are favored by the sifting committees. This fact was brought out more clearly by the action of the Senate Sifting Committee in the Thirty-ninth General Assembly which considered 143 bills and reported out 55, of which 50 were House bills and only 5 Senate files.

The character of the statutes enacted by the Fortieth General Assembly does not differ materially from the legislation enacted at other sessions in recent years, even though an important part of the accomplishment relates to code revision. Only 147 enactments out of a total of 388 measures signed by the Governor may be considered new legislation in the sense that they do not specifically amend or repeal existing statutes. Among these 147 there are 43 legalizing acts and 64 are classed as appropriation acts and special acts.<sup>15</sup> Moreover, many of the remaining 40 enactments, as well as most of the appropriation acts, relate to subjects upon which there was previous legislation so that the absolutely new legislation consists, in the main, of legalizing acts and of appropriation acts for the purpose of settling claims against the State. The number of legalizing acts passed by the Fortieth General Assembly is considerably less than the number passed in 1921 when the Thirty-ninth General Assembly passed 68 such measures as compared with 39 by the legislature which met in 1919 and 102 by the General Assembly in 1917.

Two hundred and forty-one measures passed by the For-

<sup>15</sup> No separate statement of the number of appropriation acts as distinguished from the special acts is given because many classed in the latter category in the session laws are in reality appropriation acts.

tieth General Assembly amend or repeal existing law.<sup>16</sup> This number represents over sixty-two per cent of the total output. Slightly more than sixty per cent of the acts of the Thirty-ninth General Assembly may be classed as amendatory acts in that they specifically repeal or amend other statutes. A more accurate idea of the amount of change made in the law by the Fortieth General Assembly as well as the methods used in making the change may be given by summarizing the number of sections that were altered or repealed.

Of the *Code of 1897* it appears that one section was repealed; 26 sections were amended by adding or inserting words, phrases, or clauses;<sup>17</sup> 2 sections were amended by striking out parts; 15 were amended by the substitution of words, phrases, or clauses; 17 sections were struck out and new sections substituted; and in 3 cases one or more sections were added to existing law—making a total of 64 sections amended.

Of the *Supplement to the Code of Iowa, 1913*, 2 sections were repealed; 16 were amended by adding or inserting words, phrases, or clauses; 4 were amended by striking out parts; 22 were amended by the substitution of words, phrases, or clauses; 5 sections were struck out and new ones substituted; and in 3 cases one or more sections were added to existing law—making a total of 52 sections amended.

Of the *Supplemental Supplement to the Code of Iowa, 1915*, 7 sections were amended by inserting or adding words, phrases, or clauses; 3 were amended by striking out

<sup>16</sup> This number includes the 54 code revision acts, one joint resolution proposing an amendment to the Constitution, and two joint resolutions providing for the publication of acts of the Fortieth General Assembly.

<sup>17</sup> This statement should be interpreted to mean anything less than a whole section.

parts; 13 were amended by the substitution of words, phrases, or clauses; and 8 sections were struck out and new ones inserted — making a total of 31 sections amended.

Of the legislation of the Thirty-seventh General Assembly, 2 sections were amended by adding or inserting words, phrases, or clauses; 2 were amended by striking out parts; 5 were amended by the substitution of words, phrases, or clauses; and 15 sections were struck out and new ones substituted — making a total of 24 sections amended.

Of the legislation of the Thirty-eighth General Assembly, 19 sections were amended by inserting or adding words, phrases, or clauses; 2 were amended by striking out parts; 24 were amended by the substitution of words, phrases, or clauses; 11 sections were struck out and new ones substituted; and in 2 cases one or more sections were added to existing law — making a total of 58 sections amended.

Of the legislation of the Thirty-ninth General Assembly, 15 sections were repealed; 18 were amended by adding or inserting words, phrases, or clauses; 4 were amended by striking out parts; 15 were amended by the substitution of words, phrases, or clauses; 33 sections were struck out and new ones substituted; and in one case one or more sections were added to existing law — making a total of 86 sections amended.

Moreover the Fortieth General Assembly also made some changes in its own enactments. In two instances it added one or more sections to its previous enactments; it amended one section by adding or inserting words, phrases, or clauses; one by striking out parts; and another by substituting a part of a section for a new part — making a total of 5 sections amended.

In addition to the laws which specifically amend the existing statutes, there are three acts which contain sections for

indefinite or blanket repeal of all provisions which conflict with the new law. It is almost impossible to discover the number of sections which were changed or repealed by these acts.

Aside from the indefinite repeals and amendments, 320 sections of law were specifically affected by the legislation of the Fortieth General Assembly.<sup>18</sup> This number is less than half of the number of sections amended by the General Assembly which met in 1921 when 700 sections were altered. It must be remembered, however, that 54 code revision acts were also passed by the Fortieth General Assembly and by these acts no less than 357 sections were amended, revised, and codified.<sup>19</sup> If these are added it is obvious that the entire output of the Fortieth General Assembly affects 677 sections of existing law as compared with 700 sections affected by the laws of the Thirty-ninth General Assembly, 426 by the Thirty-eighth General Assembly, and 364 by the General Assembly which met in 1917.

The favorite method of amendment used by the Fortieth General Assembly was to strike out words, phrases, or clauses and insert others, that is, to substitute parts of sections. This method was used in 95 instances. This is one of the forms of "blind amendment" because, except in rare instances, it gives no idea of the change that has been made in the law. A better form that was used, though not the best possible method, was to repeal a whole section and

<sup>18</sup> This number represents some duplication because in a few instances the same section was amended more than once or by different methods, and thus counted more than once.

<sup>19</sup> According to the "Table of Sections Repealed or Amended" in the *Laws of Iowa*, 1923, these 357 sections are distributed as follows: *Code of 1897*, 110 sections; *Supplement to the Code of Iowa, 1913*, 100 sections; *Supplemental Supplement to the Code of Iowa, 1915*, 46 sections; *Acts of the Thirty-seventh General Assembly*, 20 sections; *Acts of the Thirty-eighth General Assembly*, 38 sections; and *Acts of the Thirty-ninth General Assembly*, 43 sections.



enact a new one, which was done in 89 instances.<sup>20</sup> There were also 89 instances of sections which were amended by adding or inserting parts of sections; in 11 instances one or more sections were added to existing law; and 18 sections were amended by striking out parts. Finally, it is significant to note that only 18 sections of law were completely stricken from the statutes by the Fortieth General Assembly.

#### CODIFICATION OF THE LAWS

One of the most important problems confronting the Fortieth General Assembly was the codification of the laws — an undertaking which has been in progress since 1919. Members of the General Assembly hoped that codification could be left to a special session, but Governor W. L. Harding failed to call an extra session in 1920 and Governor N. E. Kendall refrained from taking the step in either 1921 or 1922. In his biennial message Governor Kendall stated that study of the subject had confirmed his conviction that code revision could be effected at the regular session without dislocating other necessary business. He pointed out that much of the normal work of the legislature in amending and repealing existing statute law was actually code revision, and he felt that the magnitude of the task had been “vastly exaggerated”.

After a hot debate in both houses it was agreed to undertake the work of code revision with the understanding that if the work could not be completed during the regular session without detriment to general legislation the Governor should call a special session for the purpose of completing

<sup>20</sup> The best method of amendment is to make a statement of the words to be omitted or inserted and the place of omission or insertion, and then to reenact the section with the changes made.— See *Iowa Applied History*, Vol. III, especially pp. 332-342.

the codification. The 262 code revision bills were introduced in both houses, and the Senate adopted a resolution to give them precedence until February 1st. Long before the end of the session it was apparent that code revision would not be completed; and on April 16th Governor Kendall called a special session of the legislature, which convened on April 18th and, after transacting a little emergency business, adjourned until December 4, 1923. Fifty-four code bills were passed at the regular session.<sup>21</sup>

The first of the code revision acts specifies the form of the code bills and designates the proper citation of previous codes, code supplements, and session laws. The *Compiled Code of 1919* and the *Supplement to the Compiled Code, 1921*, were adopted as official for the purposes of citation in code revision. Wherever practicable, sections in the new code are not to exceed sixteen lines in length.<sup>22</sup>

For the purpose of keeping the work of codification up to date the Supreme Court Reporter was directed to prepare a supplement to the *Compiled Code of 1919* containing the legislation of the Thirty-ninth and Fortieth General Assemblies arranged according to the titles, chapters, and sections of the *Compiled Code of 1919*. As in 1921 the Committee on Retrenchment and Reform was authorized to provide for and supervise the preparation of amendments to the Code Commission bills to harmonize them with the legislation of the Fortieth General Assembly. The former Code Commissioners might be called upon to aid in this work, and a sum sufficient to cover all expenses was appropriated.<sup>23</sup>

<sup>21</sup> *House Journal*, 1923, pp. 31, 202-215, 218-258; *Senate Journal*, 1923, pp. 183, 186, 187, 194-208, 216-256; *The Des Moines Register*, April 19, 1923.

<sup>22</sup> *Acts of the Fortieth General Assembly*, Ch. 223.

<sup>23</sup> *Acts of the Fortieth General Assembly*, Ch. 330.

## SUFFRAGE AND ELECTIONS

Any political reform as revolutionary as equal suffrage causes considerable disturbance of related legislation. Some adjustments were made in 1921 and the Fortieth General Assembly effected some additional changes in 1923. The so-called fifty-fifty bill seems to have interested women voters more than any other measure affecting their political party activities. According to this act the size of each county central committee was doubled and, instead of one member being elected from each precinct as heretofore, the law now stipulates that one man and one woman shall be elected from each precinct. The State central committee was also doubled in the same manner. This arrangement is presumed to give women an equal share in the control of the party organization and activities.<sup>24</sup>

Before the adoption of the Nineteenth Amendment to the Federal Constitution women in Iowa were entitled to vote on certain financial questions, and separate ballots and ballot boxes were furnished for that purpose. Since the franchise is now the same for men and women there is no reason for separate ballots and ballot boxes, and so that statute was repealed.<sup>25</sup>

The alphabetical lists of registered voters may now be bound in three separate parts if desired.<sup>26</sup>

Under previous legislation, voters who changed their residence from one precinct to another in cities or towns within ten days of a municipal election have been thereby disqualified from participating. So far as the selection of municipal officers at large is concerned residence in any particular

<sup>24</sup> *Acts of the Fortieth General Assembly*, Ch. 7.

<sup>25</sup> *Acts of the Fortieth General Assembly*, Ch. 9.

<sup>26</sup> *Acts of the Fortieth General Assembly*, Ch. 8.

part of the city or town has no merit as a proper qualification. To prevent change of residence from entirely disqualifying a voter, an amendment was adopted to permit electors who move to another precinct within ten days before election to vote in the precinct where they are registered if ward councilmen are not to be chosen at the election. This change affects all elections in towns, commission governed cities, and in cities not divided into wards, but in other cities the amendment applies only to special elections.<sup>27</sup>

That the county auditor might have more time in which to prepare election ballots, the Thirty-ninth General Assembly fixed the time for candidates to file withdrawal requests with the auditor at twenty days before election. This allowed ten days before the ballots were to be ready for absent voters. The Fortieth General Assembly, however, changed the law so that absent voters may apply for a ballot twenty, instead of fifteen, days before election and the auditor may mail the ballots fifteen, instead of ten, days before election. This amendment extends the time for handling the absent voters, but the time for preparing the ballots is reduced to five days as it was before 1921. The Thirty-ninth General Assembly, in prescribing the procedure for recording absent voters' ballots upon voting machines, provided that it might be done any time while the polls were open on election day. It was found, however, that registering these ballots during polling hours often caused delay in the regular voting, and so the law was changed to require the registration of the absent voters' ballots just after the polls close.<sup>28</sup>

To make the use of voting machines less confusing a

<sup>27</sup> *Acts of the Fortieth General Assembly*, Ch. 115.

<sup>28</sup> *Acts of the Fortieth General Assembly*, Chs. 10, 11.

Senate bill proposed that the levers on new machines be placed at least an inch nearer the names of the candidates to which they refer than to those of the other political parties. This bill passed the Senate but was indefinitely postponed by the House.<sup>29</sup>

Three bills relating to election boards and their work failed to be enacted. Senator J. A. McIntosh attempted to provide for double election boards in all precincts, not merely in those polling three hundred votes or more, but the Senate voted negatively. Two measures introduced by Senator George S. Banta — one to require the county auditor to conduct a school of instruction for election clerks and judges and the other to repeal the penalty of five years disfranchisement for disclosing election returns before the closing of the polls — were passed by the Senate but were lost in the House.<sup>30</sup>

The usual attempts were made to change the system of primary elections, without success. Senator C. J. Fulton sponsored a bill to give political parties more control and responsibility in the nomination of candidates for public office. According to his plan party members would elect delegates to the county convention at precinct elections, the county convention would select delegates to district and State conventions and nominate one or two candidates for each county office, and the district and State conventions would nominate one or two candidates for district and State offices. Independent candidates could get their names on the ballot by petition. The voters, irrespective of party affiliation, would then choose the candidates to run in the general election at a State-wide primary on the last Mon-

<sup>29</sup> Senate File No. 599; *Senate Journal*, 1923, p. 1064; *House Journal*, 1923, p. 1648.

<sup>30</sup> Senate File Nos. 264, 501, 502; *Senate Journal*, 1923, pp. 499, 897-899; *House Journal*, 1923, p. 1648.

day in August. Only the two candidates not of the same political party, receiving the highest number of votes at the primary, would be considered in the general election, thus practically eliminating minor parties. This bill failed to pass the Senate by a vote of ten to twenty-one.<sup>31</sup>

In the House J. C. McClune voiced the opinion that voters should not be allowed to change their party affiliation within two months of the primary election. His bill to that effect was reported for indefinite postponement by the majority of the Committee on Elections, but the House adopted the minority report recommending passage. The measure was eventually defeated, however, by a vote of forty-two to fifty, a motion to reconsider being lost. Representative Fred Himebauch proposed a preferential scheme of voting in the primary, but later withdrew the bill.<sup>32</sup>

Senator J. A. McIntosh introduced a bill to change the date of the primary from the first Monday in June to the first Monday in August. The committee recommended its passage. Senator J. L. Brookhart then offered an amendment providing for a presidential preference primary and fixing the date of the primary in presidential years on the last Monday in April and in other years on the first Monday in August. After a spirited debate this amendment was defeated by a close vote and a few minutes later the bill was lost by a vote of twenty-two to twenty-four. An attempt to repeal the requirement that a candidate, to be nominated by the primary election, must receive thirty-five per cent of the party vote cast for the year also failed.<sup>33</sup>

<sup>31</sup> Senate File No. 410; *Senate Journal*, 1923, pp. 1409-1411.

<sup>32</sup> House File Nos. 265, 500; *House Journal*, 1923, pp. 461, 462, 463, 781, 782, 1543

<sup>33</sup> Senate File Nos. 298, 299; *Senate Journal*, 1923, pp. 528, 529, 554, 696, 722-725, 1151, 1152.

## THE STATE ADMINISTRATION

Governor Kendall recommended to the Thirty-ninth General Assembly the reorganization of a number of the State administrative offices, boards, and commissions. While none of his suggestions were adopted in 1921, he reiterated the same program in his message to the Fortieth General Assembly. Specifically he proposed that the Board of Agriculture should be enlarged to include the Iowa State Poultry Association, the Horticultural Society, the Weather and Crop Service, the State Apiarist, the Commission of Animal Health, the State Entomologist, the State Dairy Association, the Beef Cattle Breeders' Association, the State Veterinarian, and the Corn and Small Grain Producers' Association; that the State Board of Health should be enlarged to include the State Food and Dairy Commission, the Commission of Pharmacy, the State Oil Inspector, the State Board of Dental Examiners, the State Mine Inspectors, the State Board of Optometry Examiners, the State Fire Marshal, and the State Boat Inspectors; that the State Library should be enlarged to include the State Historical Department, the State Library, the Library Commission, the Bureau of Public Archives, the Academy of Sciences, and the State Conservation Commission; and that the Board of Parole should be merged with the Board of Control which should be enlarged to four members one of whom should be a woman. In addition to administrative reorganization the Governor advocated the establishment of an effective budget and a thorough audit of all State finances.<sup>34</sup>

Several of these recommendations were incorporated in bills, but the only important change accomplished was the

<sup>34</sup> *House Journal*, 1923, pp. 26-30.

reorganization of the Department of Agriculture.<sup>35</sup> The new Department of Agriculture includes all of the State officials enumerated by the Governor except the State Apiarist and the State Entomologist who retain their connection with the State College of Agriculture and Mechanic Arts. Moreover, the new Department includes the offices of the Food and Dairy Commissioner and the Oil Inspector which the Governor had suggested should be in the reorganized Department of Health, and the office of the Hotel Inspector which he omitted in his recommendations. The various agricultural associations, which have hitherto been quasi-official independent organizations whose only connection with the Department of Agriculture was their participation in the election of members of the Board of Agriculture at the annual agricultural convention, were made an integral part of the new Department on the same basis as the purely public officers. The offices of the State Dairy and Food Commissioner, the State Veterinarian, the Commission of Animal Health, the Inspector of Petroleum Products (including the Chief Oil Inspector), and the Hotel Inspector were specifically abolished and their functions transferred to the Department of Agriculture. The original bill proposed to abolish also the Geological Survey, the Board of Conservation, and the Forestry Commission, but they were preserved by a Senate amendment. The old State Board of Agriculture was not abolished, but its only functions now relate to the control of the State Fair Grounds and the conduct of the State Fair, over which the Department of Agriculture has no jurisdiction. Representative A. O. Hauge endeavored without success to keep the Oil Inspector and Hotel Inspector out of the Department of Agriculture. A faction in both houses opposed the

<sup>35</sup> *Acts of the Fortieth General Assembly*, Ch. 46.



inclusion of any State inspectors and advocated an alternative plan of establishing an inspection department which would coördinate the entire State inspection service under the Attorney General, but this suggestion was also defeated.<sup>36</sup>

At the head of the reorganized Department of Agriculture is the Secretary of Agriculture who is to be elected by popular vote and whose salary is fixed at \$4000 a year. The Governor has appointed R. W. Cassady, a well-known stock raiser of Whiting, to serve until January 2, 1925.<sup>37</sup> The duties of the Secretary are to promote the interests of agriculture in all of its phases, to devise methods of increasing production and facilitating distribution, to compile and publish official agricultural statistics, to coöperate with the agricultural college, and to perform the functions formerly performed by the State Dairy and Food Commissioner, the State Veterinarian, the Commission of Animal Health, the Inspector of Petroleum Products, the Hotel Inspector, and the State Board of Agriculture. No attempt was made to specifically repeal or coördinate the many pages of existing statute law relating to the consolidated offices, boards, and commissions. That task was apparently left for code revision.

An act which was approved ten days after the one creating the Department of Agriculture appropriated \$65,000 to "the Iowa department of agriculture" for improvements on the State Fair Grounds, over which the new Department of Agriculture has no control. These funds are to be drawn from the State Treasury, however, "upon the order of the state board of agriculture" which still exists with the sole

<sup>36</sup> Senate File No. 594; *Senate Journal*, 1923, pp. 783, 789, 947, 998; *House Journal*, 1923, pp. 1252, 1271, 1272; *The Des Moines Register*, March 24, 30, 1923.

<sup>37</sup> *The Des Moines Register*, April 13, 1923.

function, according to the reorganization law, of maintaining the State Fair Grounds and managing the Fair.<sup>38</sup>

One of the significant results of the reorganization was to place a representative of the agricultural interests upon the Executive Council, for by another act the Secretary of Agriculture was made a member of that body. It was with this in view that the office was made elective.<sup>39</sup>

An effort was made in 1921 to place the rooms in the State House occupied by the Department of Agriculture under the control of the Executive Council, but only one of the two sections of the statute assigning the space to the Department was repealed so the quarters were retained by the Department. The Fortieth General Assembly repealed the other provision of the law, however, and the new Department of Agriculture, like other State officials with offices in the Capitol, will depend upon the Executive Council for an assignment of office space.<sup>40</sup>

The Governor's recommendations and the action of the legislature relating to the establishment of an improved budget system are discussed below in connection with the topic of taxation and finance.

Senator J. D. Buser sponsored a bill requiring the State Auditor to examine the accounts of the Board of Agriculture, the Board of Education, the Board of Control, and the Highway Commission. The measure passed the Senate, but after having been substituted for a similar House bill it failed by three votes to receive a majority in the House.<sup>41</sup>

<sup>38</sup> *Acts of the Fortieth General Assembly*, Chs. 46, 287.

<sup>39</sup> *Senate Journal*, 1923, pp. 1003, 1004; *Acts of the Fortieth General Assembly*, Ch. 3.

<sup>40</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 134; *Acts of the Fortieth General Assembly*, Ch. 45.

<sup>41</sup> Senate File No. 375; *Senate Journal*, 1923, pp. 603, 676, 1143, 1144; *House Journal*, 1923, pp. 1662, 1663.

The Thirty-ninth General Assembly passed a law requiring all public officers, boards, commissions, departments, and institutions of the State, counties, townships, municipalities, school corporations, and public libraries to file an annual inventory of all public property under their control. This statute was unpopular among those affected by its provisions. It was criticized because the inventory consumed much time, was inevitably inaccurate, was out of date as soon as it was filed, and served no useful purpose afterward. The only visible benefits were said to be derived by the book-makers who supplied the required blank forms. Many public officials found the law quite impracticable, and so it was repealed by the Fortieth General Assembly.<sup>42</sup>

A bill to abolish the Board of Parole and impose its duties on the Board of Control was indefinitely postponed. Another bill providing that the Board of Parole be composed of one member of the Board of Control, the Warden of the Penitentiary or Reformatory in which the person proposed to be paroled is an inmate, and a citizen of the State to be appointed by the Governor was withdrawn by the author.<sup>43</sup>

Several significant changes in State educational administrative agencies were proposed though none gained enactment. Senator B. J. Horchem wanted to consolidate the Board of Educational Examiners, the Board for Vocational Education, and the Department of Public Instruction with the Board of Education, but his bill was lost in the Sifting Committee. A bill to reorganize the Board of Educational Examiners passed the House but was indefinitely postponed in the Senate. Companion bills to establish a department

<sup>42</sup> *Acts of the Fortieth General Assembly*, Ch. 13; *The Des Moines Register*, January 20, 1923.

<sup>43</sup> Senate File No. 693; House File No. 648; *Senate Journal*, 1923, p. 1271; *House Journal*, 1923, p. 885.

of physical education were both withdrawn; an attempt to reduce the term of the Superintendent of Public Instruction from four to two years was indefinitely postponed; and a bill to make the State Board of Education elective and reduce the number of members from nine to seven met the same fate.<sup>44</sup>

Formerly the term of the Commissioner of Insurance, whose appointment must be confirmed by the Senate, expired on January 31st of every second odd numbered year. Chapter 169 of the 1923 legislation extends the tenure of the present Commissioner to June 30, 1927, and makes June 30th the date when the term of the Commissioner of Insurance shall expire thereafter. This change was made because it was found that a new Commissioner who took office during the session of the legislature was not able to furnish the advice and counsel which the General Assembly needed in respect to proposed insurance legislation.<sup>45</sup>

The annual appropriation for the State Entomologist was increased from \$4500 to \$6500 and the maximum fee that may be charged for the inspection of a nursery or fruit farm was raised from \$15 to \$40.<sup>46</sup>

The Missouri River has always been notorious for its meandering and there are tracts of land which are first on one side of the river and then on the other. The people who live there are sometimes uncertain whether they are inhabitants of Iowa or Nebraska, and so are the tax assessors. To settle the question the Fortieth General Assembly created a Boundary Commission to draft a compact definitely locating the boundary between the two States. This com-

<sup>44</sup> Senate File Nos. 426, 445, 541; House File Nos. 463, 550, 555; *Senate Journal*, 1923, pp. 786, 1060; *House Journal*, 1923, pp. 982, 1051.

<sup>45</sup> *Acts of the Fortieth General Assembly*, Ch. 169.

<sup>46</sup> *Acts of the Fortieth General Assembly*, Ch. 65.

pact is to be submitted to the Governors and General Assemblies of Iowa and Nebraska for approval.<sup>47</sup>

For the maintenance of the office of the State Fire Marshal, the annual appropriation, which in 1921 was reduced from \$13,500 to \$6500 because that sum was to be used only for the payment of expenses and not for salaries, was increased to \$7500 by the Fortieth General Assembly. A technical amendment in regard to the reporting of fires makes it clear that township clerks may collect mileage from as well as to the place of the fire.<sup>48</sup>

The salary of each member of the Board of Dental Examiners, including the secretary and treasurer, has been fixed at \$7.50 a day, while the sum of \$600 is provided for the treasurer, presumably in addition to his per diem. The statute has been thus construed, but to remove any possible ambiguity Chapter 40 of the *Acts of the Fortieth General Assembly* specifically provides that the \$600 shall be in addition to the per diem.<sup>49</sup>

The Secretary of the Executive Council was made ex officio the secretary of the State Board of Engineering Examiners and may designate one of his assistants to do the work. Formerly one of the members of the Board served as secretary. The change was made because of criticism of the conduct of the office, caused mainly by the fact that the secretary had no permanent quarters in which to maintain his office and was compelled to find accommodations in his own residence. The opposition went so far as to propose the abolition of the Board of Engineering Examiners, and such a bill passed the House. In order to preserve the

<sup>47</sup> *Acts of the Fortieth General Assembly*, Ch. 313.

<sup>48</sup> *Acts of the Fortieth General Assembly*, Chs. 26, 27.

<sup>49</sup> Executive Council's *Report of Expenses*, 1920-1922, p. 50; *Acts of the Fortieth General Assembly*, Ch. 40.

Board and at the same time to allay criticism and provide permanent quarters for the records of the organization, the present arrangement was effected.<sup>50</sup>

An act to prevent nepotism in public offices was placed on the statute books by the Fortieth General Assembly. It is now unlawful for any elected or appointed officer to employ as deputy or clerk in his office any relative of closer consanguinity than the third degree, unless the appointment is approved by the officials whose duty it is to approve of the bond of the principal. This law does not vacate any position nor does it apply to persons whose compensation is less than \$600 a year.<sup>51</sup>

#### THE STATE LEGISLATURE

The only public office for which women are constitutionally ineligible in Iowa is that of membership in the General Assembly. With equal suffrage has come a demand that women be allowed to serve as State Senators and Representatives. The Fortieth General Assembly, without a dissenting vote in either house, took the first step toward removing the restriction in the Constitution that only male citizens are qualified for the legislative branch of the State government. Before becoming effective as a part of the Constitution, the amendment proposed in the joint resolution of the Fortieth General Assembly must be passed by the Forty-first General Assembly and approved by a majority of the people voting on the question at an election thereafter.<sup>52</sup>

<sup>50</sup> House File No. 58; *House Journal*, 1923, pp. 686, 724, 725; *Acts of the Fortieth General Assembly*, Ch. 35.

<sup>51</sup> *Acts of the Fortieth General Assembly*, Ch. 15.

<sup>52</sup> *Senate Journal*, 1923, p. 504; *House Journal*, 1923, p. 284; *Acts of the Fortieth General Assembly*, Ch. 387.

Another constitutional amendment relating to the legislative branch of the State government was proposed by Senator J. O. Shaff of Camanche. He wanted to make the regular session of the General Assembly quadrennial and increase the term of Representatives to four years and that of Senators to eight. The report of the Committee on Judiciary, recommending indefinite postponement of the resolution, was adopted without debate.<sup>53</sup>

Each house is the judge of the qualification, election, and return of its own members. In case a seat is contested the law specifies the method of conducting the contest and securing evidence, but the General Assembly may reach a decision in any manner it pleases. Though many contested elections to the General Assembly have occurred in the past there have been relatively few in recent years. In the Fortieth General Assembly R. L. Rumley of Decatur County contested the election of M. F. Springer to the House as Representative by a majority of nine votes. A recount was made which resulted in a tie, each candidate having received 2730 votes — the first tie for a seat in the legislature in the history of Iowa. In such a contingency the law provides that the decision shall be made by lot. In this instance ten slips of paper of uniform size, one of them bearing the name of the contestant and another the name of the incumbent, were placed in a box. The box was then held above the Speaker's head while he drew out the slips, one by one. Dead silence prevailed in the chamber as the drawing began. The first three slips were blank. Then Speaker Anderson accidentally drew two slips. They were returned to the box and reshuffled. Two more blanks were drawn and then the Speaker drew out the sixth slip and read the name of Rumley; and so Mr. Rumley was seated on January 30th.

<sup>53</sup> *Senate Journal*, 1923, p. 1083; *The Des Moines Register*, March 21, 1923.

The contest, including \$500 salary for Mr. Springer, cost the State \$1254.85.<sup>54</sup>

The Fortieth General Assembly provided for the usual number of extra janitors and other assistants. To the list employed by the Thirty-ninth General Assembly were added one extra elevator tender, an assistant doorkeeper, and a page. The compensation of the officers, employees, and the extra help was fixed at the same wages as that provided by the previous Assembly, except that the salary of the assistant sergeant-at-arms was made \$5 a day on account of additional duties assigned to him, the salary of the elevator tenders was raised from \$80 a month to \$100, and the wages of the assistant to the State House postmaster were changed from \$75 a month to \$3 a day.<sup>55</sup>

One of the chief duties of the Committee on Retrenchment and Reform is to examine the reports and activities of the administrative officers and report its findings to the General Assembly. There seems to have been some dissatisfaction with this work of the Committee as expressed in a bill introduced by Senator Fulton to transfer the function to the Executive Council. The measure encountered stormy weather. On the first vote in the Senate the bill failed to pass, but on the following day the vote was reconsidered and the bill received a bare constitutional majority. Later it was recalled from the House and a publication clause added to give the act immediate effect; but the House killed the whole proposition by indefinite postponement.<sup>56</sup>

Two bills calculated to regulate lobbying were introduced — one in each house. One of these bills was indefinitely

<sup>54</sup> *House Journal*, 1923, pp. 303-305, 340-345; *Acts of the Fortieth General Assembly*, Ch. 298; *The Des Moines Register*, January 31, 1923.

<sup>55</sup> *Acts of the Fortieth General Assembly*, Chs. 385, 386.

<sup>56</sup> Senate File No. 388; *Senate Journal*, 1923, pp. 764, 779, 826, 880; *House Journal*, 1923, pp. 927, 1197.



postponed and the other was lost in the sifting committee. A more radical proposal was made by Senator A. J. Shinn who offered a resolution that "no professor, teacher or instructor from any of the state educational institutions, nor any employee thereof; that no member of the state highway commission or any other board or commission or any employee or any public official thereof shall be permitted while in the employment of the state and receiving compensation therefrom, to appear on the floor of the Senate, unless requested by the Senate or some committee thereof so to do." This resolution never came before the Senate for consideration.<sup>57</sup>

#### THE STATE JUDICIARY

The erection of a judiciary building to be known as "The Temple of Justice", after having been under consideration by several General Assemblies, was authorized in 1919, and as much as a million dollars was made available for the purpose. The Thirty-ninth General Assembly, however, ordered the building deferred until 1923 and transferred the previous appropriation to the general funds of the State with the provision that half of the amount should again be available for the Temple of Justice on July 1, 1923, and the remainder on July 1, 1924.<sup>58</sup> The building committee was instructed to defer all further activity until July 1, 1923. The Fortieth General Assembly found that the funds in the Treasury were still low and building costs high; and so the building committee was ordered to postpone action until the General Assembly should appropriate sufficient funds to build and complete the Temple of Justice. All records,

<sup>57</sup> Senate File No. 623; House File No. 296; *Senate Journal*, 1923, p. 460; *House Journal*, 1923, p. 360.

<sup>58</sup> *Acts of the Thirty-eighth General Assembly*, Ch. 349; *Acts of the Thirty-ninth General Assembly*, Ch. 336.

plans, and specifications are to be deposited with the Executive Council for future reference.<sup>59</sup>

One additional judgeship was created in each of three judicial districts—the fourth, twelfth, and thirteenth. These acts were all deemed of immediate importance but after the bill providing for three judges in the thirteenth district had been sent to the Governor the absence of a publication clause was discovered and a joint resolution was passed directing the Secretary of State to publish the act at once so as to give it immediate effect. This will make sixty-seven judges for the twenty-one judicial districts in Iowa. The suggestion that the State should be redistricted for judicial purposes was not adopted.<sup>60</sup>

The salary schedule of superior court judges was revised so as to raise the compensation of the judge of the superior court in Council Bluffs (all cities with a population between 25,000 and 45,000) from \$2000 to \$3000 a year. In the cities of less than 25,000 inhabitants where there is a superior court (Grinnell, Keokuk, Oelwein, Perry, and Shenandoah) the salary remains \$2000 as before. The Thirty-ninth General Assembly fixed the salary of the judge of the superior court in Cedar Rapids (over 45,000 population) at \$3750.<sup>61</sup>

Although the municipal court was established in 1915, the statute providing for the distribution of the Supreme Court Reports was not amended to include the judges of the municipal court on the list of the public officials entitled to receive copies. This oversight was remedied by the Fortieth General Assembly.<sup>62</sup>

<sup>59</sup> *Acts of the Fortieth General Assembly*, Ch. 312.

<sup>60</sup> *Acts of the Fortieth General Assembly*, Chs. 201, 202, 203, 390; *The Des Moines Register*, January 30, 1923.

<sup>61</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 128; *Acts of the Fortieth General Assembly*, Ch. 200.

<sup>62</sup> *Acts of the Fortieth General Assembly*, Ch. 2.

Ten or more bills relating to juries were introduced but only three became laws, though four others passed one house.<sup>63</sup> The exemption from jury service was extended to include licensed embalmers, registered nurses, chiropractors, and osteopaths. It was proposed to exempt all women from jury service; but one bill to that effect was indefinitely postponed, another was withdrawn, and a third, having passed the House, was lost in the Senate Sifting Committee. The jury fee to be paid by the party demanding a jury trial in civil cases was increased in 1921 from \$6 to \$10. Two bills were introduced in the Fortieth General Assembly to increase the jury fee — one to \$20 and the other to \$25. The former passed the House but failed in the Senate, while the latter was indefinitely postponed by the Senate where it originated and thus did not come to a vote in the House.<sup>64</sup>

The lists of petit jurors and talesmen are made up of a certain percentage of the qualified voters. Since the electorate was doubled the stipulated twenty-five per cent of the electors to serve as petit jurors and thirty per cent to serve as talesmen have produced longer lists than necessary. Consequently the percentages were reduced by half so as to result in approximately the same number of names being placed on the lists of jurors and talesmen as formerly.<sup>65</sup>

In order to maintain a full grand jury panel the Fortieth General Assembly authorized district judges to order additional names to be drawn from the grand jury list, and such

<sup>63</sup> See the *Index and History of Senate and House Bills*, 1923.

<sup>64</sup> Senate File No. 377; House File Nos. 339, 404, 515, 598; *Senate Journal*, 1923, p. 383; *House Journal*, 1923, pp. 893, 1093, 1149, 1380; *Acts of the Fortieth General Assembly*, Ch. 204; *Acts of the Thirty-ninth General Assembly*, Ch. 275.

<sup>65</sup> *Acts of the Fortieth General Assembly*, Ch. 205.

new grand jurors may be required to serve as regular grand jurors for the remainder of the year.<sup>66</sup>

#### COMPENSATION OF STATE OFFICIALS

Following the practice established by the two preceding General Assemblies, the legislature in 1923 fixed the salaries and compensation of most of the State officials in a general salary act. The bill was framed by the Committee on Retrenchment and Reform which has authority to provide for extra assistants and to increase or reduce salaries at any time. There was no general increase in the compensation of State officials, such as was made in response to post-war prices in 1919, nor were the specific instances of increased salary as numerous in 1923 as in 1921.

On the other hand there was no general reduction of salaries, but the number of specific instances of this was larger than in 1921. The changes were doubtless based chiefly upon the qualifications of the incumbents of particular offices. In general the officials who have served efficiently in the same capacity for several years received the increases, while the salary attached to a newly filled office was likely to be decreased. The only head of a department whose salary was changed was the Curator of the Historical, Memorial, and Art Department whose salary was fixed at \$3600 — an increase of \$600.<sup>67</sup>

The most notable change in the salary act was due to the reorganization of the Department of Agriculture. In place of the one clerk and janitor listed in 1921, the statute now provides for a Secretary of Agriculture at a salary of \$4000 a year and establishes a salary budget of \$150,000 for other employees who are to be selected and whose salaries are to

<sup>66</sup> *Acts of the Fortieth General Assembly*, Ch. 220.

<sup>67</sup> *Acts of the Fortieth General Assembly*, Ch. 334.

be fixed by the Secretary with the approval of the Committee on Retrenchment and Reform. This budget will include the officials formerly constituting the Food and Dairy Department, the office of State Veterinarian, the office of Oil Inspector, and the Iowa Weather and Crop Service Bureau.

A similar arrangement was made in the Department of Justice to which the enforcement of the motor vehicle and cigarette laws was transferred. The Attorney General was given the power to select the necessary special agents and inspectors and to fix their salaries with the approval of the Committee on Retrenchment and Reform. For this purpose a salary budget of \$75,000 was provided. Another change shifted the members of the Board of Parole from a per diem compensation to an annual salary of \$3000.

A number of additional officials were included in the salary act, among the more important of which were a Board of Conservation Clerk at \$1800 a year (who supplants the former Assistant Secretary of the Board); a Bonus Clerk at \$1400; a Cigarette Revenue Department in the office of State Treasurer including a Superintendent, four clerks, and two stenographers with a maximum salary budget of \$10,500; an Assistant Accountant in the Auditor's office at \$2000; an Assistant Librarian in the medical department of the State Library at \$1400; and a clerk in the Sioux City office of the Labor Commissioner at \$1800. The only important positions that seem to have been abandoned are the Land Office Clerk in the office of the Secretary of State and an Inspector in the office of the Superintendent of Public Instruction.

#### THE STATE INSTITUTIONS

*Institutions under the Board of Control.*—The method of paying the officers and employees at institutions under the

Board of Control was altered. Whereas the State Treasurer formerly paid these employees by check upon receipt of a warrant from the State Auditor for the gross amount, he is now relieved of this work and the State Auditor issues warrants directly to the claimants through the Board of Control or pays the employees of each institution by a single warrant sent to the superintendent or other officer. The Auditor is also authorized to combine the balances of all specific appropriations into a special account for each institution and to keep separate accounts of the support funds of each institution.<sup>68</sup>

The sum of \$1,388,900 was appropriated for buildings, equipment, repairs and other expenses at the institutions under the Board of Control — \$35,200 more than in 1921.<sup>69</sup>

For the first time in many years the legislature made some reductions in the monthly support funds granted to certain State institutions.<sup>70</sup>

At the four hospitals for the insane the monthly support was decreased from \$24 to \$20 for each patient.

The monthly support for each inmate of the Soldiers' Orphans' Home was reduced from \$25 to \$24. The population of the Home has increased, however, so that the minimum monthly support allowed to the institution was increased from \$10,000 to \$12,000 if the average monthly attendance falls below five hundred children. Formerly the minimum allowance was based on an average monthly attendance of four hundred.

The minimum monthly support of the Training School for Girls was changed from \$5520 in any month when there might be less than two hundred and thirty inmates to \$7500

<sup>68</sup> *Acts of the Fortieth General Assembly*, Ch. 53.

<sup>69</sup> *Acts of the Fortieth General Assembly*, Ch. 309.

<sup>70</sup> *Acts of the Fortieth General Assembly*, Ch. 55.

monthly if the number of inmates should fall below three hundred and twelve. There was no change in the monthly support of \$24 per inmate.

The support for each child in the newly established Juvenile Home at Toledo was decreased from \$25 to \$24 a month, while the total minimum monthly support was also reduced from \$9000 to \$7000 if the average monthly population falls below two hundred and ninety-two. The amount charged for the support of children maintained by counties was changed in accordance with the general minimum support allowance.

In 1921 the Board of Control was authorized to commit feeble-minded persons to the Hospital and Colony for Epileptics at Woodward. Since a large proportion of the inmates are feeble-minded and the practice of keeping both epileptics and feeble-minded persons at this institution seems to be established, the name was changed to "Hospital for Epileptics and School for Feeble Minded".<sup>71</sup>

The general rule in Iowa has been that a girl reaches her majority at the age of eighteen. In connection with the law regulating the commitment of delinquent children to custodial institutions the courts have not been able to make commitments extending beyond the minority of the boy or girl — that is, eighteen years for girls and twenty-one for boys. The Fortieth General Assembly made the age limit twenty-one years for both. This act was rendered unnecessary by another measure, approved twelve days later, which specifically extends the minority of women to the age of twenty-one, except that women may still contract marriage as adults after the age of eighteen and attain majority by marriage.<sup>72</sup>

<sup>71</sup> *Acts of the Fortieth General Assembly*, Ch. 54.

<sup>72</sup> *Acts of the Fortieth General Assembly*, Chs. 56, 198.

Hereafter all married women who are convicted and sentenced to imprisonment in a State penal institution must, it seems, be sentenced to the Reformatory for Women, even though they are under sixteen years of age and irrespective of the term of their imprisonment. No distinction had hitherto been made between married and unmarried female convicts; and of those between the ages of sixteen and twelve only girls sentenced to life imprisonment might, at the discretion of the court, be committed to the Reformatory. The amendment made by the Fortieth General Assembly leaves the law somewhat ambiguous, for it first states that all married women *shall* be sent to the Reformatory and then adds that *any* girl between twelve and sixteen punishable by life imprisonment *may* be sent to either the Reformatory or the Training School for Girls.<sup>73</sup>

Bills were introduced in both houses to forbid the parole of any except first term convicts from the Penitentiary or Men's Reformatory and those who have not previously violated a parole; and such a measure did actually pass the House.<sup>74</sup>

An eight hour day was established for the receiving clerk, record clerk, captains, turnkeys, and guards at the Reformatory for Men and at the Penitentiary.<sup>75</sup>

The Flynn Farm located near Clive and operated in connection with the Penitentiary as a custodial farm proved to be so distant that the products had to be sold instead of being used at the institution. Consequently the Executive Council was ordered in 1921 to sell the land. This, however, could not be accomplished; accordingly the Fortieth General Assembly authorized the Executive Council to trade

<sup>73</sup> *Acts of the Fortieth General Assembly*, Ch. 58.

<sup>74</sup> Senate File No. 291; House File No. 594; *House Journal*, 1923, p. 938.

<sup>75</sup> *Acts of the Fortieth General Assembly*, Ch. 59.



the farm for a tract now being leased near the Hospital for the Insane at Mount Pleasant.<sup>76</sup>

*Educational Institutions.*—During almost its whole existence Iowa has been committed to the principle of State supported institutions of higher education. In recent years the problem of maintaining the State University, the College of Agriculture, and the Teachers College in a manner commensurate with the demand for the training they afford has been one of the most difficult questions confronting the legislature.

The General Assembly has confined its attention chiefly to appropriations, leaving the details of administration and curricula to the State Board of Education. While a few bills which might be regarded as exceptions to this rule were introduced in the Fortieth General Assembly, only one (in a modified form) gained enactment. Representative W. C. Criswell introduced a bill requiring that all building, repair, and improvement work in excess of \$2500 at the State educational institutions be done under contract. Such work has previously been done by contract or day labor, whichever seemed advisable. The bill was opposed by members of the Board of Education, and the compromise which became a law provides that all construction, repair, and improvement of buildings or grounds costing over \$10,000 must be submitted for bids, but the Board may reject all bids and proceed by any method it may choose.<sup>77</sup>

A joint resolution passed the House recommending that the Board of Education materially increase the tuition at

<sup>76</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 325; *Acts of the Fortieth General Assembly*, Ch. 315; *Biennial Report of the Board of Control*, 1918-1920, p. 17.

<sup>77</sup> House File No. 299; *Acts of the Fortieth General Assembly*, Ch. 62; *The Des Moines Register*, January 31, February 21, 1923.

the three principal educational institutions so that the students would bear a greater share of the cost of maintenance. The measure was lost in the Senate Sifting Committee, but since the Assembly adjourned the Board of Education has followed the suggestion contained in the resolution. Another joint resolution, which passed the House but failed in the Senate by six votes, authorized the appointment of a joint legislative committee to investigate the advisability of coördinating the work of the three institutions with a view to eliminating duplication and reducing the cost of operation as low as would be compatible with efficiency and proper support.<sup>78</sup>

While eloquently voicing the needs of the three major State educational institutions, Governor Kendall in his inaugural address made a special plea, with the sanction of the Board of Education, for the establishment during the next six years of three normal schools located in the northwest, southwest, and southeast parts of the State. These schools were to be devoted exclusively to the preparation of rural school teachers. Companion bills embodying these recommendations and appropriating — in one case \$250,000 and in the other \$275,000 for the establishment of each normal school and \$100,000 annually for maintenance — were introduced. The schools were to be located at Storm Lake, Red Oak, and Washington. After considerable debate the Senate approved the measure, but the session ended before the bill received consideration in the House.<sup>79</sup>

The appropriation bills for the maintenance of the State educational institutions precipitated an ardent debate in both branches of the General Assembly and near the close

<sup>78</sup> *Senate Journal*, 1923, pp. 1609, 1687; *House Journal*, 1923, pp. 1673, 1805, 1818, 1857.

<sup>79</sup> *Senate File No. 370*; *House File No. 361*; *Senate Journal*, 1923, pp. 1468–1471; *House Journal*, 1923, pp. 163, 164.

of the session resulted in a deadlock between the two houses lasting several days. The desired appropriations for the State University, the College of Agriculture, the Teachers College, the College for the Blind, and the School for the Deaf were originally incorporated in six bills. One bill proposed the reënactment of the general maintenance and building appropriations made in 1921 (with the exception of changes in two items) which involved a sum of \$7,413,294 for the biennium; a second bill requested \$2,190,300 during the biennium for additional support and equipment at the University, the College of Agriculture, Teachers College, and the School for the Deaf; another asked \$800,000 annually for the construction of buildings and the purchase of sites at the University and the Agricultural College, making a total of \$3,200,000 for the biennium at both places; a fourth bill provided for the appropriation of \$450,000 annually for five years for the erection and equipment of a hospital and college of medicine at the University, contingent upon the granting of \$2,250,000 by the General Education Board and the Rockefeller Foundation for the same purpose; another bill proposed the appropriation of \$500,000 annually hereafter for the erection of dormitories at Iowa City and Ames with the proviso that these dormitories should be operated at a four per cent profit which should be paid into the State Treasury until the principal expended should be repaid; and the sixth bill contained an appropriation of \$160,000 to rebuild the armory at the College of Agriculture. Thus the total askings for the biennium amounted to \$14,863,594.<sup>80</sup>

The armory appropriation was allowed after being reduced to \$125,000.<sup>81</sup> The two and a quarter million dollar

<sup>80</sup> Senate File Nos. 453, 458, 462, 464, 465; House File No. 270.

<sup>81</sup> *Acts of the Fortieth General Assembly*, Ch. 316.

donation by the General Education Board and the Rockefeller Foundation for the college of medicine and hospital at the University was matched by an equal amount from the State distributed over a period of five years — \$900,000 to be available during the biennium.<sup>82</sup> The proposed loan for the erection of dormitories, after \$125,000 annually for dormitories at the Teachers College had been added, passed the Senate but the companion bill in the House met such determined opposition that both measures were withdrawn on April 13th.<sup>83</sup> In regard to the large building appropriation bill, the Senate approved of \$250,000 annually for the University and \$500,000 annually for the College of Agriculture, but the measure was withdrawn when the companion bill in the House was killed.<sup>84</sup> A similar fate also befell the bill providing for additional maintenance and equipment funds. That bill, having passed the Senate after a reduction in the total appropriations from \$2,190,300 to \$1,886,300 for the biennium, was withdrawn in both houses.<sup>85</sup> The Senate also passed the bill renewing the general support appropriations of 1921 after making a total reduction of \$160,000 for the biennium. Thus the six bills passed the Senate, with appropriations for the biennium totalling \$13,124,594.

The explanation of the withdrawal of three of the bills is to be found in the action of the House. On April 9th the bill renewing the 1921 appropriations was taken from the Committee on Appropriations and placed on the calendar. After an executive session, the majority of the Committee

<sup>82</sup> *Acts of the Fortieth General Assembly*, Ch. 63.

<sup>83</sup> *Senate Journal*, 1923, pp. 1464, 1465, 1519; *House Journal*, 1923, p. 1727.

<sup>84</sup> *Senate Journal*, 1923, pp. 1459, 1461, 1462, 1519; *House Journal*, 1923, p. 1727.

<sup>85</sup> *Senate Journal*, 1923, pp. 1448, 1455-1459, 1519; *House Journal*, 1923, p. 1727.

on Appropriations reported the three remaining bills for indefinite postponement on April 10th, while a minority of fifteen members filed reports recommending amendments and passage. On April 12th, however, the House passed a substitute for the 1921 appropriations renewal bill as amended by the Senate, which omitted the items for summer school support at the University and the College of Agriculture, decreased some amounts and increased others, and added \$500,000 for buildings at Ames, \$85,000 for the heating plant at the Teachers College, and \$3300 to pay a drainage assessment against the School for the Deaf. This measure, known as the Harrison Bill, carrying a total appropriation of \$7,092,300 for the biennium, was intended to be a substitute for all four of the pending educational appropriation bills. It decreased the total biennial appropriations \$370,994 below the amount in 1921, fell \$7,771,294 short of the total askings and \$6,032,294 less than the Senate had approved.<sup>86</sup>

The Senate accepted the Harrison Bill as a substitute for the four educational appropriation bills still pending and proceeded to amend it so as to bring the amounts more nearly in accord with what the other bills included. When returned to the House on April 13th the measure carried appropriations totalling \$11,889,594 for the biennium — an increase of \$4,797,294 over the amount previously approved by the House. The House refused to concur and the Assembly remained in a deadlock on the subject for five days until finally a compromise suggested by the third conference committee was accepted on April 18th, over thirty hours after the clocks in the legislative chambers had been stopped at 11:30 A. M. on April 17th. The General Assembly appropriated \$3,584,576 to the University, \$4,046,576 to the

<sup>86</sup> *House Journal*, 1923, pp. 1540, 1541, 1559–1563, 1601–1605, 1631, 1654–1657, 1659.

College of Agriculture, \$894,548 to the Teachers College, \$106,000 to the College for the Blind, and \$359,300 to the School for the Deaf for the ensuing biennium — a total of \$8,991,000.<sup>87</sup>

A measure closely associated with the maintenance of the University was an appropriation of \$50,000 to complete the fireproofing and preservation of the Old Stone Capitol.<sup>88</sup>

A more effective method of securing the attendance of deaf children at the School for the Deaf and blind children at the College for the Blind was provided by the legislation of the Fortieth General Assembly. Hitherto a person having the custody of such a child who did not send the child to the proper State institution was liable to be brought into court and, if convicted, to be put in jail or fined. It was very difficult, however, to obtain convictions, and consequently the law was amended to give the juvenile or district court authority to order the attendance of the child. Failure to comply with the order of the court would subject the person having control of the child to punishment for contempt of court.<sup>89</sup>

#### APPROPRIATIONS

APPROPRIATIONS BY THE FORTIETH GENERAL ASSEMBLY			
FOR THE MAINTENANCE OF STATE GOVERNMENT AND STATE OFFICERS			
CHAPTER	FOR WHAT	AMOUNT	PERIOD
19	Inspection of Petroleum products	\$ 17,500	Annually
27	State Fire Marshal, expenses and fees	7,500	Annually

<sup>87</sup> *Senate Journal*, 1923, pp. 1498-1504; *Acts of the Fortieth General Assembly*, Ch. 308; *The Des Moines Register*, April 19, 1923.

<sup>88</sup> *Acts of the Fortieth General Assembly*, Ch. 325.

<sup>89</sup> *Acts of the Fortieth General Assembly*, Ch. 78.

CHAPTER	FOR WHAT	AMOUNT	PERIOD
34	Purchase and maintenance of State parks	\$ 75,000	Annually
65	State Entomologist, per diem and expenses	6,500	Annually
160	State Railroad Commission	25,000	Annually
277	Bonus Board, salaries and expenses: a loan to be paid upon receipt of funds from the sale of bonds	20,000	Lump sum
280	Bureau for control of venereal diseases, salaries and expenses	25,000	Annually for two years
302	John Hammill, Lieutenant Governor as President of the Senate	2,000	Lump sum
302	J. H. Anderson, Speaker of the House of Representatives, in addition to salary as member	1,000	Lump sum
302	Secretary of Agriculture, expenses of organization and salary from May 1, 1923, to July 1, 1923	2,500	Lump sum
302	Chaplains' fees for Fortieth General Assembly	800	Lump sum
302	Board of Engineering Examiners, expenses of L. M. Martin as member	62.98	Lump sum
302	Board of Dental Examiners, expenses of C. B. Miller as secretary-treasurer	165	Lump sum
303	Pay for employees after adjournment of the Fortieth General Assembly	Amount necessary <sup>90</sup>	
305	State Railroad Commission, motor bus administration	\$ 10,000	Annually
307	Executive Council, necessary expenses for which no other appropriation has been made	3,000	Biennium
307	Executive Council, providential contingencies	100,000	Biennium

<sup>90</sup> The amount necessary for this purpose according to information from the office of the Auditor of State was \$436.

CHAPTER	FOR WHAT	AMOUNT	PERIOD
307	Executive Council, supervision, services, and supplies in Capitol	\$325,000	Biennium
307	State Board of Education, office expense of the president	500	Biennium
307	Clerk of the Supreme Court, contingent fund	600	Biennium
307	Office of Governor, contingent and expense fund	5,000	Biennium
	Additional counsel when necessary	2,500	Biennium
	Investigation of pardon and parole cases	200	Biennium
	Publication of notices	800	Biennium
307	Office of State Treasurer, contingent fund	10,000	Biennium
307	State Board of Control, contingent fund	4,000	Biennium
307	State Food and Dairy Commission, contingent fund	2,000	Biennium
307	Retrenchment and Reform Committee, contingent fund	40,000	Biennium
307	Custodian, extra carpenter, painter, and other labor	5,000	Biennium
307	Supreme Court, contingent fund	2,000	Biennium
307	Superintendent of Public Instruction, contingent fund	3,000	Biennium
307	Law Library, legislative reference work	2,000	Annually for the biennium
307	Office of Attorney General, contingent fund	7,500	Annually for the biennium
307	State Fire Marshal, contingent fund	2,000	Biennium
307	Office of State Auditor, contingent fund	3,000	Biennium
307	Reporter of the Supreme Court, contingent fund	600	Biennium



CHAPTER	FOR WHAT	AMOUNT	PERIOD
318	State Board of Railroad Commissioners, to continue investigation of the valuation of the property of common carriers up to July 1, 1923	\$ 6,666.67	Lump sum
318	State Board of Railroad Commissioners, to continue investigation of the valuation of the property of common carriers	20,000	Annually for two years
334	State Officers' Salary Act	877,125 <sup>91</sup>	Annually for two years
FOR SUPPORT AND MAINTENANCE OF STATE INSTITUTIONS			
CHAPTER	FOR WHAT	AMOUNT	PERIOD
47	Iowa State Dairy Association, inspectors	\$ 12,500	Biennially
47	Iowa Beef Cattle Producers' Association, inspectors	12,500	Biennially
47	Iowa Corn and Small Grain Growers' Association, inspector	7,500	Biennially
55	Soldiers' Orphans' Home	\$24 per inmate <sup>92</sup>	Monthly
55	Asylums for insane	\$20 per inmate <sup>93</sup>	Monthly
55	Juvenile Home	\$24 per inmate <sup>94</sup>	Monthly
63	College of Medicine at the State University of Iowa to accept the Rockefeller Foundation and General Education Board gift	\$450,000	Annually for five years

<sup>91</sup> Maximum salaries were used in computing this total and no per diem salaries were included. The total amount that will be paid for all salaries of State officers during the biennium ending on June 30, 1925, according to estimates prepared in the office of the Auditor of State, will amount to \$1,533,150.

<sup>92</sup> This represents a decrease of \$1 per inmate.

<sup>93</sup> This represents a decrease of \$4 per inmate.

<sup>94</sup> This represents a decrease of \$1 per inmate.

CHAPTER	FOR WHAT	AMOUNT	PERIOD
234	State Horticultural Society, general support	\$ 3,750	Annually
234	State Horticultural Society, State aid for exposition	14,000	Biennium
307	State Board of Education, manufacture of garments for use in the hospital for crippled children	500	Biennium
307	State Board of Control, expenses for medical attention and treatment of friendless girls	5,000	Biennium
307	Curator of Historical Department: Expenses of persons coöperating with the department	250	Biennium
	Traveling expenses	500	Biennium
	Historic motion pictures	750	Biennium
	Binding and supplies for archives	500	Biennium
	Portraits	1,500	Biennium
308	State University of Iowa, support	1,181,000	Annually for two years
308	State University of Iowa, maintenance or buildings	471,288	Annually for two years
308	State University of Iowa, paving, equipment, etc.	280,000	Biennium
308	Iowa State College, support	1,169,500	Annually for two years
308	Iowa State College, maintenance or buildings	471,288	Annually for two years
308	Iowa State College, equipment, construction, etc.	265,000	Biennium
308	Iowa State College, construction and purchase of land	500,000	Lump sum
308'	Iowa State Teachers College, support	398,000	Annually for two years
308	Iowa State Teachers College, maintenance or buildings	39,274	Annually for two years

CHAPTER	FOR WHAT	AMOUNT	PERIOD
308	Iowa State Teachers College, improvement and equipment of heating plant	\$ 20,000	Biennium
308	Iowa State College for the Blind, support, repair, and contingent	43,500	Annually for two years
308	Iowa State College for the Blind, furniture, equipment, and buildings	19,000	Biennium
308	Iowa School for the Deaf, support and scholarships	142,500	Annually for two years
308	Iowa School for the Deaf, contingent, repair, equipment, and bookbinding	71,000	Biennium
308	Iowa School for the Deaf, drainage assessments	3,300	Lump sum
309	Iowa Soldiers' Home at Marshalltown, contingent, repair, etc.	31,500	Biennium
309	Soldiers' Orphans' Home at Davenport, contingent, repair, medical supplies, etc.	29,600	Biennium
309	Juvenile Home at Toledo, contingent, repair, building, medical supplies, etc.	114,000	Biennium
309	Institution for Feeble-minded Children at Glenwood, contingent, repair, building, etc.	216,500	Biennium
309	Sanatorium for Tuberculosis at Oakdale, contingent, repair, equipment, etc.	31,500	Biennium
309	Training School for Boys at Eldora, contingent, repair, equipment, etc.	41,900	Biennium
309	Training School for Girls at Mitchellville, contingent, repair, furnishings, etc.	31,900	Biennium
309	Mt. Pleasant State Hospital, contingent, repair, etc.	50,500	Biennium
309	State Hospital at Independence, contingent and repair	30,000	Biennium

CHAPTER	FOR WHAT	AMOUNT	PERIOD
309	State Hospital at Clarinda, contingent, repair, building, etc.	\$160,000	Biennium
309	State Hospital at Cherokee, contingent, repair, building, etc.	205,500	Biennium
309	Colony for Epileptics at Woodward, contingent, repair, equipment, building, etc.	186,500	Biennium
309	State Penitentiary at Fort Madison, contingent, repair, building, etc.	169,000	Biennium
309	Men's Reformatory at Anamosa, contingent, repair, medical services and supplies, etc.	28,500	Biennium
309	Women's Reformatory at Rockwell City, contingent and repair	12,000	Biennium
309	State Board of Control, extra appropriation to be used at its discretion at the State charitable, correctional, and penal institutions	50,000	Biennium
316	Iowa State College, to replace armory destroyed by fire	125,000	Lump sum
TO SATISFY CLAIMS <sup>95</sup>			
CHAPTER	FOR WHAT	AMOUNT	PERIOD
282	Ardis Roberdee, compensation for injuries received while on national guard duty	\$ 7,500	Lump sum
284	Carl F. Schatz and Laura Schatz, compensation for son killed by State Highway Commission automobile	5,400	Lump sum
285	George W. Metcalf, editor of the <i>Lansing Mirror</i> , for printing done for State Council of Defense	326.95	Lump sum

<sup>95</sup> Chapter 1 of the *Acts of the Fortieth General Assembly* prescribes a definite procedure for filing claims against the State.

CHAPTER	FOR WHAT	AMOUNT	PERIOD
288	John Young and Retta Young for damages sustained when their son was killed while on national guard duty	\$ 3,000.00	Lump sum
289	Jones County, to reimburse for expenses in the trial of prison breach cases	321.90	Lump sum
290	Woodbury County, for money advanced to pay transportation of patients to State Hospital at Cherokee	770.05	Lump sum
292	Charles R. Messett, compensation for losses caused by injuries while on national guard duty	2,543.50	Lump sum
294	George A. Gardner, for injuries sustained while showing a dairy herd of the Mount Pleasant State Hospital at the Jefferson County Fair	1,375.50	Lump sum
296	Joe Banoch, for injuries sustained while performing duty at the State Reformatory at Anamosa	855.00	Lump sum
297	Ross Seward, for injuries sustained at the State Penitentiary at Fort Madison	2,000.00	Lump sum
299	John S. Young, damages sustained when his automobile collided with a Capitol Extension truck	150.00	Lump sum
301	Lee County, reimbursement for expenses incurred in trial of prison breach cases	689.50	Lump sum
302	R. F. Wolfe, claim	17.20	Lump sum
302	Globe Machinery and Supply Company, claim	13.27	Lump sum
302	<i>The Clinton Advertiser</i> , claim	8.95	Lump sum
302	McNamara Office Supply Company, claim	32.25	Lump sum

CHAPTER	FOR WHAT	AMOUNT	PERIOD
302	C. M. Meusel, claim	\$ 29.50	Lump sum
302	Board of Parole, expenses incident to the attempted suicide of Clifford I. Berry, a paroled convict	121.96	Lump sum
302	John C. Bradbury, compensation for services as captain of troop "F", first Iowa cavalry	47.79	Lump sum
302	George Judish, extra compensation for seven days' service as member of State Board of Pharmacy	70.00	Lump sum
302	George S. Banta, traveling expense in attendance at conference	23.79	Lump sum
302	A. V. Brady, traveling expense in attendance at conference	20.79	Lump sum
302	J. D. Buser, traveling expense in attendance at funeral of Senator D. C. Chase	20.06	Lump sum
302	F. C. Gilchrist, traveling expense in attendance at funeral of Senator D. C. Chase	8.65	Lump sum
302	J. R. Price, traveling expense in attendance at funeral of Senator D. C. Chase	9.85	Lump sum
302	William Schmedika, mileage	6.30	Lump sum
302	L. W. Ainsworth, postage, telephone, telegraph, badges, and miscellaneous expense	67.66	Lump sum
302	J. H. McFarland, services for 8 days as doorkeeper	32.00	Lump sum
302	G. L. Steinhilber, extra salary as file clerk	100.00	Lump sum
302	Paul Sims, extra salary as bill clerk	100.00	Lump sum
302	Don Winterrowd, extra salary as file clerk	100.00	Lump sum
302	H. L. Gordon, extra salary as bill clerk	100.00	Lump sum

CHAPTER	FOR WHAT	AMOUNT	PERIOD
302	Charles Lindenau, extra salary as file clerk	\$ 100.00	Lump sum
302	C. M. Roggensack, services rendered under Fish and Game Department	68.74	Lump sum
302	Koch Brothers, supplies for Board of Engineering Examiners	93.39	Lump sum
303	W. C. Ramsay, reimbursement for loss incurred in deposit of a check on the State Treasury	46.00	Lump sum
303	Lieutenant Governor Hammill, expenses	3.50	Lump sum
303	A. C. Gustafson, postage, telegraph and telephone expense	33.78	Lump sum
303	Executive Council, cost of installing Edison battery on voting machine	615.00	Lump sum
303	Des Moines Rubber Stamp Works, badges	54.35	Lump sum
304	Fort Dodge, Des Moines, and Southern Railroad Company, expenses in removing material from tracks at Capitol Extension grounds	6,029.62	Lump sum
310	John W. Martin, medical treatment of a national guard member	250.00	Lump sum
FOR THE IMPROVEMENT OF STATE PROPERTY			
CHAPTER	FOR WHAT	AMOUNT	PERIOD
283	Payment of drainage assessments against State owned lands in Emmet County	\$ 12,379.96	Lump sum
287	Department of Agriculture, to complete sheep barn at the State Fair Grounds	35,000	Lump sum
287	Department of Agriculture, maintenance and improvement of State Fair Grounds	15,000	Annually for two years

CHAPTER	FOR WHAT	AMOUNT	PERIOD
293	Payment of drainage assessments against State owned lands in Greene County	Amount necessary <sup>96</sup>	
300	Payment of drainage assessments against State owned lands in Clay County	\$ 9,792.33	Lump sum
303	Curator of Historical Department, maintenance of Okoboji monument and grounds	250.00	Lump sum
306	Maintenance and improvement of State Capitol grounds	23,089.97	Biennium
325	Fire-proofing the Old Capitol at Iowa City	50,000.00	Lump sum
349	Payment of drainage assessments against State owned lands in Muscatine and Louisa Counties	75,053.63	Lump sum
FOR MISCELLANEOUS PURPOSES			
CHAPTER	FOR WHAT	AMOUNT	PERIOD
5	Maintenance of Camp Dodge	\$ 10,000	Annually
6	Pensions for survivors or widows of members of John Mitchell's company of Iowa volunteers	Amount necessary <sup>97</sup>	
17	Pensions for peace officers killed or disabled while performing duty	Amount necessary <sup>98</sup>	
60	Vocational training, administration expense	\$ 10,000	Annually
61	Acceptance of Federal aid for the promotion of the welfare and hygiene of maternity and infancy	21,213.60	Annually

<sup>96</sup> The amount necessary for this purpose, according to estimates made in the office of the Auditor of State, will be \$80,000.

<sup>97</sup> The amount necessary for this purpose for the next biennium, according to estimates made in the office of the Auditor of State, will be \$1440.

<sup>98</sup> The amount necessary for this purpose for the next biennium, according to estimates made in the office of the Auditor of State, will be \$10,000.



CHAPTER	FOR WHAT	AMOUNT	PERIOD
163	Committee to protect the State against "Pittsburgh Plus" methods	\$ 10,000	Lump sum
224	Preparing volume of session laws for publication	1,200	For each regular or special session of the General Assembly
225	Salaries for help in preparing Supreme Court reports and annotations	5,000	Annually
278	Independent school districts of Des Moines, Dubuque, and Ottumwa for instruction of deaf children	600	Lump sum
279	Inaugural ceremonies and reception expense	444.50	Lump sum
281	Chair and Furniture Industry at the State Penitentiary at Fort Madison, chairs purchased for committee clerks in the General Assembly	891.68	Lump sum
286	Improvement of school conditions in mining camps	50,000	Annually for two years
291	Coöperation in the movement for water transportation from the Atlantic Ocean to the Mississippi River	5,000	Annually for two years
295	Vocational rehabilitation education	22,836.45	Annually for two years
295	State Board for Vocational Education, office equipment and expense of administration	500	Lump sum
298	Rumley-Springer election contest, expenses	1,254.85	Lump sum
303	Advertising laws of the Fortieth General Assembly	5,000	Lump sum
303	Executive Council, to pay cost of laundering towels for the Fortieth General Assembly	200	Lump sum

CHAPTER	FOR WHAT	AMOUNT	PERIOD
303	Executive Council, to pay cost of inspection and repair of passenger elevators in the State Capitol	\$ 1,500	Lump sum
307	Pioneer Law-makers Association, expense of publishing proceedings	100	Biennium
307	Executive Council, assessment for expenses of Governors' conference	500	Biennium
307	Executive Council, express, freight, and drayage for State departments located at the Capitol	10,000	Biennium
307	Executive Council, laundering of towels	700	Biennium
311	Executive Council, expense of taking census for 1925	40,000	Lump sum
321	Marker for grave of William Alexander Scott	500	Lump sum
330	Expenses connected with preparing and printing the <i>Supplement to the Compiled Code</i> and revising code commission bills	Amount necessary <sup>99</sup>	
332	Portrait of Jonathan P. Dolliver	500	Lump sum
335	Sums erroneously collected by the State as taxes from insurance companies	Unexpended balance of the \$125,000 appropriated by the 39th General Assembly	Lump sum
336	Expenses for appraisal and sale of Goose Lake	Amount necessary <sup>100</sup>	

<sup>99</sup> The amount necessary for this purpose, according to the estimate made in the office of the Auditor of State, will be \$20,000.

<sup>100</sup> The amount necessary for this purpose, according to the estimate made in the office of the Auditor of State, will be \$5000.

## TAXATION AND FINANCE

Due to the depressing economic conditions existing in the country at large, and especially in agricultural areas, nearly all of the members of the Fortieth General Assembly of Iowa went to Des Moines pledged to a program of economy and many of them were determined to reduce the burden of taxation. The legislators, however, devoted more attention to equalizing the burden of taxation than to its reduction. The Fortieth General Assembly was unusually well equipped to do something of that nature because the report and recommendations of the Joint Legislative Committee on Taxation of the Thirty-ninth General Assembly were submitted to it. The Governor, in his inaugural address, also devoted no little attention to suggestions for reform that would equalize the burden of taxation. He insisted that visible property is bearing a larger measure of the burdens of government than should equitably be imposed upon it and that hitherto untapped sources of revenue should be made available. In support of this view he pointed out that six per cent of the gross income from farm lands was consumed by taxes in 1921 as compared with one and one-half per cent in 1919.<sup>101</sup>

The Joint Legislative Committee on Taxation submitted its report to the legislature on January 30th, and six thousand copies were ordered to be printed. Provision was also made for the distribution of the report to county auditors, county agents, and newspapers in Iowa. The Committee not only recommended improvements in the methods of raising revenue but also in disbursements. It proposed that the financial affairs of the State and local government be conducted on a budget basis and recommended the creation of a State tax commission to have general direction

<sup>101</sup> *House Journal*, 1923, pp. 158-161.

of taxation throughout the State and to take over from the Executive Council the function of equalizing property values between counties. A county assessor system was to take the place of local assessors. The Committee also advocated the taxation of property on its actual value instead of one-fourth of that amount as at present. Besides these changes in the methods of taxation the Committee also suggested the availability of sources of revenue hitherto unused in Iowa. It proposed a tax on gasoline; an amusement tax; the taxation of bank stock, surplus, and individual profits at full value; and the abolition of tax exemptions for certain classes of people. The last proposal was made because it was felt that such exemptions did not benefit the class, but only those members of the group who owned property. The Committee did not submit an income tax bill but strongly recommended such a tax as the "latest step in the evolution of the effort to secure contribution to the support of government in proportion to ability to pay".<sup>102</sup>

Five bills embodying the recommendations of the committee accompanied the report. Three of these — one providing for a State Board of Assessment and Review, a county assessor, and assessment of property at actual value; the second creating a State Budget Board; and the third creating local budget committees — were introduced in the Senate as committee bills on March 16th. The substance of the gasoline tax bill was contained in several bills proposed by various members, and a measure identical with the committee bill on the amusement tax was introduced by the House Committee on Ways and Means. None of these measures became law. The three tax committee measures were withdrawn on April 11th because friends of

<sup>102</sup> *Report of the Joint Legislative Committee on Taxation, 1923; Senate Journal, 1923, pp. 313, 314; House Journal, 1923, p. 339.*

these bills felt that the people of Iowa had not had sufficient information to be in favor of them at that time, and it was believed that the better course would be to defer the matter of tax reform to the special session of the Fortieth General Assembly or even to the next meeting of the legislature rather than to risk defeat of the bills in either house. The amusement tax measure was not acted upon and was finally lost in the sifting committee.<sup>103</sup>

The gasoline tax bill had a most adventurous career. In the end the measure was vetoed by the Governor after having been modified so as to be quite different from the bill originally introduced by Senator W. A. Caldwell of Mahaska County on January 18th. The amended measure passed the Senate on March 20th, and after further modification was adopted by the House of Representatives on April 4th. A conference committee adjusted the differences between the two houses, and on April 17th the measure was sent to the Governor. Six days later the Governor announced his veto of the measure, along with two other bills designed to perfect it, one of which had been passed at the special session.<sup>104</sup>

The vetoed gasoline tax measures provided for a tax of two cents on each gallon of gasoline or other derivative of petroleum suitable for generating power, but it excepted kerosene devoted to purposes other than the operation of motor vehicles. The revenue thus obtained was to take the place of money derived from the county and township road taxes which were to be abolished. In his letter of veto to the Secretary of State the Governor explained that his

<sup>103</sup> Senate File Nos. 625, 626, 627; House File Nos. 736, 812; *Senate Journal*, 1923, pp. 831, 1443; *The Des Moines Register*, April 12, 1923.

<sup>104</sup> Senate File Nos. 273, 759; House File No. 1 (Extra Session); *Senate Journal*, 1923, pp. 932, 1526-1528; *House Journal*, 1923, pp. 1445, 1811, 1812; *Index and History of Senate and House Bills*, 1923, p. 2.

action was prompted by the fact that the tax was nothing else than a sales tax and although designed to require those who travel the highways to contribute especially to their construction and maintenance would not serve as such because it taxed gasoline used for generating light and power as well.<sup>105</sup>

An income tax — which was endorsed in principle by the Joint Legislative Committee on Taxation and the advisability of which was subsequently mentioned in the Governor's letter vetoing the gasoline tax bill — was proposed in a measure introduced by Representative G. W. Patterson of Kossuth County. It provided not only for taxing individual incomes but those of firms, partnerships, and corporations as well. The bill was introduced on February 12th, considered in detail by the lower chamber, and amended but, when put on its passage, was lost by a vote of 54 to 41 — one vote less than the constitutional majority required to pass the measure — on Friday, April 13th. Several other new forms of taxation were also proposed. A Senate bill providing for a tax on corporations was indefinitely postponed and companion bills for a tax on cigars, tobacco, and snuff were lost in the sifting committee.<sup>106</sup>

Another measure, passed by the Fortieth General Assembly but vetoed by the Governor, provided that the first and second installments of taxes should become finally due on the first of May and the first of November instead of on the first of April and the first of October respectively. It was urged that this extension of time in which to pay taxes would enable the farmers to meet these obligations without

<sup>105</sup> *The Des Moines Register*, April 24, 1923.

<sup>106</sup> Senate File Nos. 380, 482; House File Nos. 458, 534; *Senate Journal*, 1923, p. 1098; *House Journal*, 1923, pp. 494, 1683, 1685. The corporation tax bill was considered in the Senate as File No. 380, but the printed bill was numbered 379.

borrowing money for the purpose as many of them are now obliged to do. If penalties were to accrue on delinquent taxes a month later than at present it would be possible for the farmer to sell certain products to a better advantage before each installment of taxes became payable whereas now he is in a position to sell nothing advantageously prior to April 1st and only his oats before October 1st when the second installment of taxes must be paid.

On the other hand, in a hearing before Governor Kendall it was brought out that this change would disrupt the financial business of the local governmental areas by making it necessary for them to default on payments of interest and principal of bonds coming due on the first of May. In his letter to the Secretary of State, the Governor gave two reasons for vetoing the measure: first, because the work connected with tax sales on the third Monday in December could not be completed by the county treasurer if taxes were not delinquent until the first of November, since most of his clerical force were busy renewing automobile licenses at that time; and second, because cities and towns, townships, and school districts would not receive their share of the revenue in time to meet bonded obligations maturing on the first of May. He expressed himself as being in sympathy with the extension of time for paying taxes, but he pointed out that before such a change could be made it was imperative that the whole body of law governing collection, apportionment, and disbursement of taxes should be modified so as to accommodate the change.<sup>107</sup>

Although the Fortieth General Assembly considered many tax measures without enactment, one of its first acts was to pass a concurrent resolution memorializing Congress to propose an amendment to the Constitution of the United

<sup>107</sup> Senate File No. 739; *The Des Moines Register*, May 1, 3, 1923.

States prohibiting the issue of tax free securities. Copies of the resolution were transmitted to the President of the United States and to the Senators and Representatives from Iowa in Congress.<sup>108</sup>

Two acts passed in 1923 relate to the assessment of property for taxation. According to the laws of Iowa, commission merchants, brokers, and all other persons selling goods on commission as well as assignees authorized to sell, and other persons having in their possession goods belonging to another are taxed as owners if the person to whom the property belongs does not reside in the county where the goods are situated. This provision was amended so that it does not apply to warehousemen lawfully engaged in storing goods for profit. Such warehousemen are required, however, to file with the assessor an inventory of all goods in storage with the name and addresses of the several owners. If they fail to do so they are themselves liable for the taxes.<sup>109</sup>

The second act in this category relates to the assessment of buildings erected on leased lands. In Iowa, real estate is assessed every two years and personal property every year. According to the law as amended by the Fortieth General Assembly, buildings and fixtures erected on real estate held under a lease of longer than three years duration are now to be assessed as real estate. This provision was made to apply to assessments of 1923, and boards of equalization were authorized to meet for the purpose of correcting tax lists accordingly if necessary.<sup>110</sup>

If the owners of real estate that has been divided and sold after assessment can not agree on the portion of tax

<sup>108</sup> *Senate Journal*, 1923, pp. 173, 174; *House Journal*, 1923, p. 193.

<sup>109</sup> *Acts of the Fortieth General Assembly*, Ch. 147.

<sup>110</sup> *Acts of the Fortieth General Assembly*, Ch. 146.



that each should pay, the board of supervisors, upon application of one of the parties, is now authorized to make an apportionment after giving notice to interested parties and affording an opportunity for each of them to be heard. An appeal from the decision of the board may be taken to the district court. Auditors and treasurers are directed to correct tax books in accordance with the apportionment when necessary. Members of boards of review aggrieved by the action of the board of which they are members were given the same right to make complaint against the action of the board and to appeal as any other taxpayers.<sup>111</sup>

A bill introduced by Representative O. A. Ontjes of Grundy County provided for the repeal of all tax exemptions granted to ex-soldiers. Action of this kind was also recommended by the joint committee on taxation. It was pointed out that such exemptions do not benefit old soldiers as a class but only those who own property and these are the ones who least need the exemption, while the old soldiers who own no property usually pay taxes in the form of rents. The suggestion was made that a county would do better to establish a soldiers' aid fund for the needy than to allow these tax exemptions. According to estimates presented, the State would receive between three and four million dollars additional taxes if the exemptions were repealed. The American Legion, however, was very determined in its opposition to the measure, which when put on its final passage received only three affirmative votes.<sup>112</sup>

Although this bill was defeated, two laws relative to soldiers tax exemptions were passed. One of these provides that the exemptions authorized by the Thirty-ninth

<sup>111</sup> *Acts of the Fortieth General Assembly*, Chs. 148, 152.

<sup>112</sup> House File No. 341; *House Journal*, 1923, p. 833; *Report of the Joint Legislative Committee on Taxation*, 1923, pp. 44-46; *The Des Moines Register*, January 26, February 16, 1923.

General Assembly which have not been claimed for 1922 may be allowed by the county treasurer if the taxes from which they should be deducted have not been paid. If they have been paid, the board of supervisors may refund the amount. The second measure provides that a veteran claiming an exemption need no longer make his declaration of ownership of property but may simply file a written statement to that effect with the assessor. Another act very closely related to the two just described exempts from taxation the buildings, grounds, furniture, and household equipment of homes owned and operated by organizations of United States soldiers, sailors, or marines, when used as a home for disabled war veterans and not operated for pecuniary profit.<sup>113</sup>

The last act passed by the Fortieth General Assembly at its regular session was the measure setting forth the amount to be raised by taxes for general State purposes during the next two years. It is upon these figures that the number of mills in the State levy is computed. The sum to be raised by the levy of 1923 was fixed at \$11,163,000 and a like amount by the levy of 1924. The sum for each of the two preceding years fixed by the Thirty-ninth General Assembly was \$10,072,000.<sup>114</sup>

The tax rate which counties are permitted to levy for poor relief was increased from two to three mills, and all counties are now authorized to levy a six mill tax for general county revenue in addition to the poll tax of fifty cents on each male resident over twenty-one years of age. Prior to the enactment of this law counties with more than forty thousand population were restricted to a levy of not

<sup>113</sup> *Acts of the Fortieth General Assembly*, Chs. 144, 145, 324.

<sup>114</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 341; *Acts of the Fortieth General Assembly*, Ch. 340.

over four mills and the poll tax, unless the board of supervisors was authorized by a vote of the people to levy a greater amount, not to exceed six mills. Thus the tax rate of six mills for general revenue is now uniform in all counties regardless of population.<sup>115</sup>

Until a few years ago nearly all taxes were paid in one installment, but since taxes have mounted rapidly almost all taxpayers now avail themselves of the opportunity to defer payment of the second half of their taxes until September. As a result, the Fortieth General Assembly passed an act requiring the county auditor to make out the tax lists so as to show the amount due on each installment.<sup>116</sup>

The Fortieth General Assembly provided that delinquent personal property taxes for the current year shall not be turned over to collectors until the first of November, thus giving an extra month for the taxpayer to make payment without the additional penalty of five per cent for collection.<sup>117</sup>

Two laws passed by the Fortieth General Assembly relate to dog licenses. License certificates will no longer be issued, but the tag to be worn by the dog will have the name of the county, the year for which the license is issued, and the serial number of the dog's license stamped upon it. The serial number is to correspond to the number in the auditor's record referring to the name of the dog's owner and to descriptive data relative to the dog. Several modifications in the law were necessary to make its language conform to this change.<sup>118</sup>

The second act amending the dog license law provides

<sup>115</sup> *Acts of the Fortieth General Assembly*, Chs. 75, 110.

<sup>116</sup> *Acts of the Fortieth General Assembly*, Ch. 149.

<sup>117</sup> *Acts of the Fortieth General Assembly*, Ch. 151.

<sup>118</sup> *Acts of the Fortieth General Assembly*, Ch. 99.

that the tag shall be issued by the auditor upon receipt of application therefor accompanied by the prescribed fee. The twenty-five cent fee for acknowledging the application was abolished, because of its unpopularity. Moreover, county auditors who failed to collect this fee in the past were relieved from responsibility for their negligence.<sup>119</sup>

Not only did the Fortieth General Assembly alter the law relative to the collection of revenue, but a number of changes concerning the custody and disbursement of public funds were also made. By virtue of one of these changes county treasurers must make monthly statements of State funds in the county treasury to the Auditor and Treasurer of State, and upon the order from the latter they must pay the prescribed amounts into the State Treasury. Moreover, the Treasurer of State is required to maintain a fund of not less than two million dollars or more than three million dollars in the State Treasury. Before the passage of this law the county treasurer was to make such reports only to the Auditor of State and, on or before the fifteenth day of each month, was to pay all funds belonging to the State into the State Treasury. Furthermore, the State Auditor could order the transfer of State funds from a county treasury to the State or another county treasury at any time. The object of the change is to retain public funds in the county as long as possible in order that the locality through its banks may be benefited thereby. The penalty — a forfeiture amounting to not less than one hundred dollars nor more than five hundred dollars — if a county treasurer fails to pay money upon order was left the same as under the old law.<sup>120</sup>

According to another act all warrants issued by the Aud-

<sup>119</sup> *Acts of the Fortieth General Assembly*, Ch. 100.

<sup>120</sup> *Acts of the Fortieth General Assembly*, Ch. 153.

itor of State prior to June 30, 1922, that were not redeemed within one year from that date were invalidated. When such a warrant is presented to the Treasurer of State he must send it to the Auditor who is authorized to issue a new one and retain the invalidated warrant as his receipt therefor.<sup>121</sup>

Several enactments of 1923 relate to bonds. One of these provides that all contracts made for the sale of bonds issued by the State of Iowa must be approved by the Executive Council before being valid. County, city, town, township, and school district officers are no longer permitted to sell bonds for less than par and accrued interest and are specifically forbidden to pay a commission or bonus for the sale of bonds. The demand for this law arose because officials in several localities were in the habit of paying liberal sums to bond companies for handling the sale of bonds. The maximum rate of interest that may be allowed on municipal bonds, garbage disposal plant bonds, park bonds, bridge bonds, street improvement and sewer bonds, waterworks bonds, waterworks mortgages, city, town, or county funding bonds, drainage bonds, and county public hospital bonds was fixed at five per cent. The maximum rate of interest on all of these bonds prior to the passage of this law was six per cent, except on bonds for drainage or levee systems along highways in which case it was eight per cent. The fourth act in this group provides that the surplus remaining in a fund obtained from the sale of bonds issued upon authorization of a vote by the people may be transferred to the general county fund after the purpose for which they were issued has been realized.<sup>122</sup>

Few measures passed by the Fortieth General Assembly

<sup>121</sup> *Acts of the Fortieth General Assembly*, Ch. 333.

<sup>122</sup> *Acts of the Fortieth General Assembly*, Chs. 4, 14, 108, 109.

created greater interest throughout the State at large or more anxiety among county supervisors than the "Tuck Bill" which is now part of the statute law of Iowa. This legislation is designed to curb the alleged practice of county boards of issuing warrants for expenditures indiscriminately without regard to whether funds were available or would be forthcoming from taxes. If the cash was not available the boards were then accustomed to issue bonds funding the indebtedness. The act makes it unlawful "for any county, or for any officer thereof to allow any claim, or to issue any warrant, or to enter into any contract, which will result, during said year, in an expenditure from any county fund" of a greater sum than is available from a surplus or from taxes. The original law does not apply to expenditures for bridges or buildings destroyed by fire or flood or other extraordinary casualty, expenses for the operation of the courts, expenditures made necessary in any year for construction of bridges made necessary by a public drainage improvement, expenditures for the benefit of any person entitled to receive help from public funds, and expenditures authorized by a vote of the people. The bill was passed by the Senate on February 7th, and on March 8th it passed the House of Representatives in spite of the protest, raised particularly by county supervisors who maintained that the measure, if enacted, would compel counties to go out of business because they could not obtain sufficient money from the tax levies authorized.

At this juncture Representative W. C. Edson of Buena Vista County introduced a resolution to recall the bill for further consideration by the House. But the bill was returned to the Senate and dispatched to the Governor for his signature. Efforts were then made to influence the Governor to veto the measure, and a public hearing for this purpose was held on March 19th. Supervisors and repre-

sentatives of bond firms, as well as members of the legislature who opposed the bill, were present and pointed out the impracticability of the measure because of the great number of the outstanding warrants and the impossibility of meeting obligations from current tax receipts. In spite of these protests the Governor signed the bill on March 19th.

It soon became evident, however, that the enforcement of the law might have serious effects especially in some of the larger counties. Accordingly, Senator Perry C. Holdoegel of Calhoun County introduced another measure providing that the "Tuck Bill" should not go into effect until January 1, 1924. This bill was passed after several amendments modifying its original content had been incorporated.<sup>123</sup> Four types of expenditures to which the "Tuck Bill" does not apply were added to those already noted: expenditures contracted prior to July 4, 1923, for and on account of county activities authorized by law; expenditures contracted prior to July 4, 1923, of every kind and character for the funding and refunding of legal obligations or indebtedness of the county by bonding or otherwise as provided by law; expenditures from the county funds which are to be refunded from primary road funds; and expenditures from the county general fund legally payable from that fund and contracted prior to January 1, 1924. Thus instead of making it necessary for counties to cease business it may now only be necessary for them to curb some of their activities.<sup>124</sup>

#### COUNTY OFFICERS AND GOVERNMENT

The compensation of county officers has been a subject of legislation at every session of the General Assembly

<sup>123</sup> *Senate Journal*, 1923, pp. 405, 406; *House Journal*, 1923, pp. 765, 766, 783, 784; *The Des Moines Register*, February 8, 9, March 17, 20, 22, 1923.

<sup>124</sup> *Acts of the Fortieth General Assembly*, Chs. 104, 105.

since the enactment of the *Code of 1897*. In 1919 the whole problem was reviewed in the light of the high cost of living

TABLE SHOWING SALARIES OF COUNTY OFFICERS

COUNTIES WITH A POPULATION OF	AUDITOR	TREASURER	RECORDER	SHERIFF	ATTORNEY	CLERK
Less than 10,000	\$1700	\$1700				\$1700
Less than 15,000			\$1600	\$1700	\$1100	
10,000 to 15,000	1800	1800				1800
15,000 to 20,000	1900	1900	1700	1800	1400	1900
20,000 to 25,000	2000	2000	1800	1900	1600	2000
25,000 to 30,000	2100	2100	1900			2100
30,000 to 35,000	2200	2200	2000			2200
25,000 to 35,000				2000	1700	
35,000 to 40,000	2400	2400	2100	2100		2400
35,000 to 45,000					2000	
40,000 to 50,000	2800	2800	2200	2200		2800
45,000 to 55,000					2200	
50,000 to 58,000	3050	3050	2300	2400		3050
55,000 to 65,000					2500	
58,000 to 65,000	3300	3300		2600		3300
65,000 or over	3400	3400		2800	3000	3400
58,000 to 70,000			2400			
70,000 to 90,000			2500			
90,000 or over			3100			
In counties where the District Court is held in two places	500 addi- tional	500 addi- tional	500 addi- tional	300 addi- tional	500 addi- tional	400 addi- tional



and a proper basis of compensation, with the result that a temporary scale of salaries was established for most of the county officers and their deputies. This schedule, with a few modifications, was extended to 1923 by the Thirty-ninth General Assembly. When the Fortieth General Assembly convened there was some discussion of a general reduction of county officers' salaries. Indeed, a bill introduced by Senator Ben C. Abben of Lyon County extending the time in which the salary schedule adopted in 1919 should remain in effect until 1925 was lost in committee.<sup>125</sup>

The problem was finally settled, however, by the enactment of a code revision bill which retained practically the same schedule of salaries that has been in existence since 1921. The annual salaries as fixed by the Fortieth General Assembly, with the exception of the compensation of the county superintendent of schools and that of the coroner are based as heretofore upon the population of the county and are shown in the table on the preceding page.<sup>126</sup>

In addition to the salary schedule set forth in the table the auditor of a county which has over twenty-five thousand inhabitants and contains a special charter city of more than five thousand population within its boundaries is to receive \$300 in addition to his regular compensation if he makes up the tax books for the city. The treasurer of a county with over twenty-five thousand population and a special charter city for which he collects the taxes within its boundaries is also entitled to \$300 additional compensation regardless of the population of the special charter city. The officers which come under these provisions are the auditor of Muscatine County and the treasurers of Clinton, Louisa, and Muscatine counties.<sup>127</sup> A section added to the law by

<sup>125</sup> Senate File No. 323.

<sup>126</sup> *Acts of the Fortieth General Assembly*, Ch. 250.

<sup>127</sup> *Iowa Official Register*, 1921-1922, pp. 547, 551-566.

This would have included Mills County but Glenwood abandoned its special

the Fortieth General Assembly provides that in counties with over forty thousand population containing a city of the first class the board of supervisors may allow additional compensation to the county treasurer to the extent of fifty dollars per year for each five thousand population of the city. The counties to which this applies are Linn, Clinton, Pottawattamie, Scott, Polk, Dubuque, Woodbury, and Black Hawk.<sup>128</sup> The sheriff is allowed an additional sum of \$300 in counties that do not furnish an official residence for him. In addition to his regular salary, the county attorney is allowed fees in suits for the county on written instruments and his actual and necessary expenses while attending to his duties at places other than his residence or the county seat.

The most noticeable change in the new salary act is a shift in the class of counties which formerly included all those with from fifty to sixty thousand population. The upper limit of this class was fixed at fifty-eight thousand instead of the sixty thousand. This change affected the offices of auditor, treasurer, recorder, sheriff, and the clerk of the district court; but the only county in which the salaries of these officers were increased by placing them in the next higher salary class is Dubuque with a population of 58,262. Several changes in the classification of counties make changes in the compensation of the county attorney.

The compensation of the coroner is derived from fees, and the amounts which he receives for various purposes are the same as those fixed by the Thirty-eighth<sup>129</sup> General

charter on April 1, 1923, and is now governed according to the general municipal incorporation law as a city of the second class. In Scott County the auditor does not make up the tax books for the special charter city of Davenport, nor does the county treasurer collect Davenport taxes.

<sup>128</sup> *Iowa Official Register*, 1921-1922, pp. 549, 550.

<sup>129</sup> *Acts of the Thirty-eighth General Assembly*, Ch. 122; *Iowa Official Register*, 1921-1922, pp. 549, 550.

Assembly. The General Assembly which met in 1921 provided that the salary for the county superintendent of schools should be not less than \$1800 nor more than \$3000 per year — the exact sum to be fixed by the county board of supervisors.<sup>130</sup> This was also left unchanged by the Fortieth General Assembly. The compensation of members of the board of supervisors, which is five dollars per day for time spent in service and ten cents a mile for expenses, was also left unchanged, although a bill was introduced by Representative C. G. Oliver of Monona County to reduce the mileage allowance of supervisors and sheriffs from ten cents to five cents a mile. The measure was withdrawn by the author.<sup>131</sup>

In general the compensation provided for deputy county officers is similar to that provided in 1919.<sup>132</sup> In counties with less than fifty thousand inhabitants the deputy auditor, treasurer, clerk of the district court, and recorder is each to receive one-half the amount of the salary of his principal unless that would make the deputy's salary less than \$1500, in which case it may be increased to that amount by the board of supervisors. In counties with more than fifty thousand inhabitants the salary of the first deputy in the offices of auditor, treasurer, clerk of the district court, and recorder is fixed at one-half of the amount received by the principal officer, but if that makes the deputy's salary less than \$1750 it may be increased to that amount by the county board. The compensation for the second deputy in these offices is one-half the amount received by the principal, but may never be more than \$1500.

<sup>130</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 112.

<sup>131</sup> *Compiled Code, 1919*, Sec. 3127; House File No. 305; *House Journal*, 1923, p. 454.

<sup>132</sup> *Acts of the Thirty-eighth General Assembly*, Ch. 278; *Acts of the Fortieth General Assembly*, Ch. 250.

In counties with a population less than fifty thousand the salary of the deputy sheriff is fixed by the board of supervisors at any amount not exceeding \$1500. The salary of the deputy sheriff in counties with a population of more than fifty thousand is fixed at sixty-five per cent of the salary of the sheriff but is never to be over \$1800. In the counties with two county seats — Lee and Pottawatamie — the salary of the deputies in charge of the offices of auditor, treasurer, recorder, clerk of the district court, and sheriff not at the county seat is fixed at sixty-five per cent of the amount of the salary of their respective principals.<sup>133</sup>

If a county contains a city of at least forty-five thousand population the salary of the first and second deputies in the offices of auditor, treasurer, recorder, and clerk is to be sixty-five per cent of the amount of compensation received by their principals, and that of the third and fourth deputies is to be one-half the amount of their principal's salary. If more than four deputies are required the county board of supervisors has the authority to fix the amount of compensation for the additional assistants. Provision is also made that if a county with more than fifty-three thousand inhabitants contains a city not the county seat with a population of over six thousand then the treasurer of that county may appoint a resident collector of taxes for the city and this collector is to receive the same amount of compensation as the deputy treasurer in a county with less than fifty thousand inhabitants. This provision undoubtedly was incorporated in the law for the benefit of Black Hawk County which contains the city of Cedar Falls where a local tax

<sup>133</sup> Apparently there is an inconsistency in the law with regard to the deputy in charge of the office of clerk of the district court not at the county seat. In section 15a, which was added to the law as an amendment, his salary is fixed at sixty-five per cent of the amount of the clerk's salary but in paragraph 4 of section 12 it is fixed at one-half the amount of the principal's salary.

collector has functioned for a number of years. The compensation of assistants to the county attorney is based upon the population of the county. In counties with less than thirty-six thousand population the deputy or assistant is entitled to no salary; in those with from thirty-six thousand to forty-five thousand inhabitants it is \$1000; in those with from forty-five thousand to seventy thousand inhabitants it is \$1500; and in all counties with a population larger than seventy thousand it is fixed at \$2000. The compensation of the deputy superintendent of schools is fixed by the county board of education in accordance with the provisions of the minimum wage law for teachers.

In addition to the law passed relative to the salaries of county officers several other measures relating to various phases of county government were enacted by the Fortieth General Assembly. Two of these acts relate to the collection and custody of fees by the county sheriff. The law passed by the Thirty-seventh General Assembly which revised the schedule of fees to be collected by the sheriff was amended, so that he no longer has authority to charge fees for collecting and paying money from property sold at sheriff's sales. Not only was that section in the law repealed but provision was also made for refunding the fees collected on property which had been sold if the time for redemption had not expired when the amendment went into effect.<sup>134</sup>

An act proposed by Senator J. E. Wichman requires the sheriff to make an annual report of all condemnation funds paid to him. These are divided into two classes: first, those in cases which have been finally adjudicated; and second, those in cases where an appeal has been taken and the case is still pending. A report of all funds in the first class

<sup>134</sup> *Acts of the Fortieth General Assembly*, Ch. 102.

not paid to the parties entitled to them must be made to the county treasurer before the first day of January of each year and the money reported must be paid into the county treasury. The funds in the latter class remaining in the possession of the sheriff must be reported to the county auditor for examination and checking by the county board of supervisors and the amount reported must be paid to the sheriff's successor when his term of office expires. There are instances of sheriffs who retained condemnation funds after they were no longer in office, collected interest on such funds, and retained the money that was never claimed by the persons to whom it was due. Two notable instances of this practice were the actions of ex-sheriffs Charles Save-rude and W. E. Robb, both of Polk County. It appears, however, that there was some justification for the retention of this money, since it was not clear that under the old law the sheriff and his bondsmen were released from liability for the funds in his possession if paid to his successor. To obviate the recurrence of the practice and to remedy present conditions a section was included in the law which requires ex-sheriffs who have condemnation funds in their possession to make a report thereof and then pay the amounts to the sheriff within thirty days after the passage of the law. This provision has failed to cause such funds to be paid over — perhaps because no penalty for non-compliance is included in the law. No doubt the situation could be remedied by mandamus and contempt proceedings, but thus far no definite action has been taken.<sup>135</sup>

Several acts of the Fortieth General Assembly relate to the powers of the county board of supervisors. Since the office of county surveyor was abolished the county board

<sup>135</sup> *Acts of the Fortieth General Assembly*, Ch. 103; *The Des Moines Register*, February 23, March 18, 1923.

has been required to employ a competent engineer to perform substantially the same duties required of the elective county surveyor. Due to many complaints of inefficiency of the engineers who presented themselves for appointments, as well as alleged interference by the State Highway Commission in the matter of appointment, this action on the part of the supervisors was made optional, so that the county board may now employ engineers for any specific project rather than one engineer for all the county work, or may even refuse to employ an engineer at all.<sup>136</sup>

The board of supervisors may no longer allow the expenses of county officers for attending their State or district conventions. Should the supervisors authorize the issuance of a warrant and should it be issued by the auditor in defiance of the law then the county treasurer is instructed to refuse to honor the warrant when presented to him for payment.<sup>137</sup>

Another act, though one of a special nature enacted for the immediate benefit of Fayette County, provides that if a county whose courthouse has been destroyed by fire has received at least one hundred thousand dollars from popular subscriptions for the construction of a courthouse, then the county board may use the money so subscribed and appropriate in addition not to exceed one-half the amount of the donations from the general county fund for the construction of the courthouse, provided there is a sufficient unexpended balance in that fund.<sup>138</sup>

The Cosson Law provided that all popularly elected county, city, or town officers may be removed from office by an order of the district court in accordance with the find-

<sup>136</sup> *Acts of the Fortieth General Assembly*, Ch. 82.

<sup>137</sup> *Acts of the Fortieth General Assembly*, Ch. 106.

<sup>138</sup> *Acts of the Fortieth General Assembly*, Ch. 107.

ings of a trial. In 1923 this method of removal was made applicable to the appointive officers of these governmental areas as well as the elective ones.<sup>139</sup>

A new duty was added to those to be performed by the county recorder. That officer is now required to file, record, and index notice of liens on property within the county in favor of the United States government and also the release of such liens. This act was passed undoubtedly for the purpose of aiding in the collection of the income tax. It is another instance of the Federal government using the governmental machinery of the county for the enforcement of its statutes — as it does in enforcing the prohibition laws.<sup>140</sup>

Among the important measures relative to county officers and government which failed of enactment was one introduced by Representative John M. Rankin of Lee County to increase the term of office of the county auditor, treasurer, clerk of the district court, sheriff, recorder, and coroner to four years. This bill was referred to the House Committee on Elections. On April 11th it was reported without recommendation, but was withdrawn by its author.<sup>141</sup>

A bill to remedy a situation created by a Supreme Court ruling that boards of supervisors can not be held responsible for damages from accidents occurring on county bridges was introduced by Senator I. N. Snook of Lee County. He proposed that counties should be liable for damages resulting from accidents caused by defective bridges due to negligence of the supervisors, in spite of the fact that the State Highway Commission has been given considerable authority over bridge construction. The bill was sponsored by the State Threshermen's Association. It

<sup>139</sup> *Acts of the Fortieth General Assembly*, Ch. 12.

<sup>140</sup> *Acts of the Fortieth General Assembly*, Ch. 101.

<sup>141</sup> House File No. 625; *House Journal*, 1923, pp. 752, 1611.



failed to pass the Senate on March 23rd by a vote of eighteen to twenty-one.<sup>142</sup> Another measure, sponsored by Representative W. S. Criswell of Boone County, proposed to transfer the duty of issuing hunting licenses from the office of auditor to that of the recorder. Although this measure passed the House by the substantial majority of eighty-one to four it was indefinitely postponed in the Senate.<sup>143</sup>

A defeated measure which created widespread interest throughout the State was a bill introduced by Representative H. S. Berry of Monroe County proposing to make the county superintendent of schools a popularly elected officer. Another bill of a similar nature was introduced by Representative Fred Rewoldt, Jr., but this measure was withdrawn by its author after the Berry bill had been defeated in the Senate. At every session of the General Assembly, since the office was made appointive in 1913, efforts have been made to change back to the elective basis, but each time the Senate has frustrated such efforts. No little antagonism was aroused over the matter.

The bill referred to was introduced on January 18th and referred to the Committee on Elections. Six days later the committee reported the measure for passage, but the House voted to re-refer it to the Committee on Schools and Text Books. After several delays this vote was reconsidered on February 7th and the bill was taken up on the following day. A very spirited debate ensued. Because of its opposition to the bill the Iowa State Teachers Association was scored by the advocates of the measure and was character-

<sup>142</sup> Senate File No. 495; *Senate Journal*, 1923, pp. 1012, 1013; *The Des Moines Register*, February 9, 1923.

<sup>143</sup> House File No. 304; *Senate Journal*, 1923, p. 1276; *House Journal*, 1923, p. 851.

ized as an "autocratic association, not in the interests of the children". Representative Berry declared that although the education of the children had been delegated largely to women, the selection of the county superintendent was performed by the men and that the opponents of his bill were going against the wishes of the women of the State who desired to take a direct hand in the selection of the county superintendent. The measure finally passed the House on February 8th by a vote of fifty-six to forty-seven — one vote more than the necessary majority.<sup>144</sup>

The bill was sent to the Senate and came up as a special order on February 20th. The contest in the upper house was no less keen than in the lower chamber. Senators Buser, Price, and Smith were most active in its defense, while the opposition was led by Senators Baird, Banta, Bowman, Horchem, and Mantz. The "teachers' union" was again scored by the advocates of the bill and referred to as "the greatest trust in the United States". County superintendents were severely criticised for carrying on other occupations — such as selling life insurance, conducting teachers' agencies, and lecturing — and receiving compensation for such work while holding the office. It was said that "there was no blacker chapter in the history of the legislature than that of the Thirty-fifth General Assembly when the present law was passed" which provided that the county superintendent be appointed by the school board presidents in the county. Debate on the measure lasted from ten-thirty o'clock in the morning until three-fifteen in the afternoon, and when the final vote on the passage of the bill was counted it was found that twenty-

<sup>144</sup> House File Nos. 286, 302; *House Journal*, 1923, pp. 200, 287, 306, 317, 363, 390, 437, 438, 441, 448, 453, 1099; *The Des Moines Register*, February 9, 1923.

two Senators had voted for the measure and twenty-six had cast their votes against it: a majority of four votes kept the county superintendents on the appointive basis.<sup>145</sup>

Finally, the bill introduced by Senator A. H. Bergman, which would have made it possible for any county to adopt the manager plan of county government, should be mentioned. This measure was introduced on March 20th; on April 12th it was placed on the calendar but was not taken up for consideration; and on April 16th it was withdrawn by its author. According to its provisions an election to determine whether the county manager plan should be adopted for a particular county was to be held upon petition of twenty-five per cent of the local voters. If the results of the election were favorable to the adoption of the manager plan the only county officers to be elected by the people at the next election would be the county supervisors, attorney, sheriff, and coroner. It would be the duty of the board of supervisors to select a county manager. This manager would have power to appoint all necessary county officers and in general have authority to direct the county government under supervision of the county board. His compensation was to be fixed by that body between \$3000 and \$5000 annually.<sup>146</sup>

#### MUNICIPAL LEGISLATION

True to the practice of previous General Assemblies, the acts of the Fortieth relating to cities and towns bulk larger than the legislation on any other particular subject: no less than thirty-eight acts deal directly with municipal affairs, others touch municipalities indirectly, while in addi-

<sup>145</sup> *Senate Journal*, 1923, pp. 565, 582, 586, 588; *The Des Moines Register*, February 21, 1923.

<sup>146</sup> Senate File No. 697; *Senate Journal*, 1923, pp. 945, 1475, 1620.

tion sixteen acts were required to validate the actions of cities and towns about which doubts of legality had arisen.

*Municipal Officials.*—The Thirty-ninth General Assembly passed a law requiring candidates for the office of commissioner in commission governed cities to announce the department of which they desired to be superintendent, instead of simply running for election to the commission, if the voters should approve of such a change at an election. The Fortieth General Assembly made this reform mandatory on all commission governed cities without the approval of the voters at an election. In commission governed cities with less than twenty-five thousand population (Burlington, Fort Dodge, Keokuk, Marshalltown, Mason City, and Ottumwa) the departments of “accounts and finances” and “parks and public property” have previously been combined under one commissioner, and those of “public safety” and “streets and public improvements” under another. This combination was changed. One commissioner will henceforth be “superintendent of accounts, finances and public safety” while another will be “superintendent of parks, public property, streets and improvements”, thus unifying the departments and making a more logical combination of functions.<sup>147</sup>

Special charter cities in Iowa, if held for damages on account of injury to person or property resulting from the alleged negligence of the city, may sue the person or corporation whose actual negligence caused the injury and collect the amount of the judgment against the city. Dubuque, having changed from the special charter to the manager form of government but still desiring the benefit of this section of the Code, succeeded, through the efforts of

<sup>147</sup> Acts of the Fortieth General Assembly, Ch. 135.

the members of the General Assembly from Dubuque, in having the section made applicable to all cities and towns governed under the manager plan.<sup>148</sup>

Two new acts were passed which provide compensation for policemen injured in the line of duty. Upon the instigation of the Iowa Bankers Association the workmen's compensation law was made applicable to any policeman (except those pensioned under the policemen's pension fund), sheriff, marshal, constable, their deputies, and all other law-enforcing officers who are killed or disabled while performing the duties which involve the peril peculiar to their office. According to the provisions of another act all municipalities in the State are empowered to furnish hospital, medical, and nursing attention to policemen and firemen who are injured in the performance of their duties. Any amounts received from the State under the workmen's compensation law or from any other source for that purpose are to be deducted, however, from the amount the city would otherwise be required to pay.<sup>149</sup>

*Ordinances.*—For many years municipalities were required to publish certain ordinances in a local newspaper; or if there was no such newspaper then the ordinance could be published by posting it in three public places, two of which were the post office and the mayor's office. The Thirty-ninth General Assembly struck out the requirement of posting ordinances in the post office and mayor's office, so that if not published in a newspaper they could be posted in any three public places. The attention of the Fortieth General Assembly, however, was called to the town of

<sup>148</sup> *Acts of the Fortieth General Assembly*, Ch. 143.

<sup>149</sup> *Acts of the Fortieth General Assembly*, Chs. 17, 133; *The Northwestern Banker*, May, 1923.

Lisbon in which no newspaper is published and a provision was added so that, in the absence of a local newspaper, ordinances may be published in any newspaper of general circulation in the city or town which the council may designate. Moreover, in rewriting this section of statute law the provision that the post office and the mayor's office shall be two of the three public places in which ordinances may be published by posting was restored — perhaps inadvertently.<sup>150</sup>

*Zoning.*— If city planning is to amount to much municipalities must have power to establish districts for various purposes. A beginning in this connection was made in 1917 when cities of the first class were empowered to establish restricted residence districts upon petition of sixty per cent of the real estate owners in the district.<sup>151</sup>

For the purpose of “promoting the health, safety, morals or the general welfare of the community, any city or town” in Iowa was empowered by the Fortieth General Assembly to “regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes.” Moreover, the council may district the city or town according to a comprehensive plan and make uniform regulations for the class of buildings in each district. Such districting or zoning must take into consideration fire protection, health, concentration of population, transportation, water, sewerage, schools, parks,

<sup>150</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 84; *Acts of the Fortieth General Assembly*, Ch. 116.

<sup>151</sup> *Acts of the Thirty-seventh General Assembly*, Ch. 138.

the suitability of each area for particular uses, conservation of the value of existing buildings, and the most appropriate use of land throughout the city. A zoning commission appointed by the council is to recommend to the council the boundaries of the districts and the regulations to be enforced. The council must also provide for a permanent board of adjustment of five members with power to make exceptions in harmony with the general purpose for the benefit of aggrieved property owners.<sup>152</sup>

*Street Improvements.*—The problem of coördinating rural and municipal paving on primary roads necessitated two additional acts on the part of the Fortieth General Assembly. By virtue of laws enacted in 1919 county boards, with the approval of town councils, were authorized to drain, grade, gravel, or hard surface continuations of primary roads in towns. The county board was specifically forbidden to undertake improvements of this kind within cities, and any pavement constructed by that body within the limits of a town was not to be over eighteen feet wide. According to a law passed by the Fortieth General Assembly the county board, with consent of the city council, may also grade, drain, gravel, or pave roads which are continuations of primary roads within any city whose population is not over twenty-five hundred. Before hard surfacing in such cities and towns may be undertaken, however, it must be authorized by the voters of the county. The supervisors have the same power to condemn and purchase land for right of way for these undertakings as they have for those outside of cities and towns. The width of the pavement within the corporate limits must be the same as on the primary road in the rural area. After its comple-

<sup>152</sup> *Acts of the Fortieth General Assembly, Ch. 134.*

tion the maintenance of the project rests with the council of the city.<sup>153</sup>

Another measure enacted by the Fortieth General Assembly was added to the law just described. It provides that town councils may petition the board of supervisors to drain, grade, gravel, or pave the continuation of a primary road running along or within its corporate limits. The supervisors must examine the petition, render a decision within thirty days, and report their action to the State Highway Commission for final review. One month later the Commission must report its action to the council and the board. In counties where hard surfacing of primary roads has not been authorized by a vote of the people and where the primary system has not been fully drained or graded the State Highway Commission must give preference to the grading and drainage projects. Not more than twenty per cent of a county's annual allotment of the primary road fund may be spent on projects within towns in this manner.<sup>154</sup>

In 1921 the county was made optionally liable for that part of the cost of hard surfacing on primary roads in cities which is not assessable on adjacent property, provided the paving was not over eighteen feet wide. The restriction in regard to the width of the paving was removed in 1923, and the law was also made specifically applicable to special charter cities.<sup>155</sup>

The fourth act relative to the improvement of roads within city or town limits by county boards of supervisors provides that if the county board wishes to pave or gravel the continuation of a secondary road adjacent to lands used

<sup>153</sup> *Acts of the Fortieth General Assembly*, Ch. 87.

<sup>154</sup> *Acts of the Fortieth General Assembly*, Ch. 88.

<sup>155</sup> *Acts of the Fortieth General Assembly*, Chs. 126, 127.



for horticulture or agriculture that have not been divided into parcels of ten acres or less but are situated within the limits of a city or town with less than thirty-five hundred inhabitants it may, with the consent of the city or town, include such a road within the project and levy assessments against adjacent property as against property in rural areas.<sup>156</sup>

The council in all special charter cities has been required to divide the municipality into three or more districts for street cleaning, sprinkling, and repair work and provide a separate road fund for each district. This arrangement was obviously too elaborate for the two smaller special charter cities and involved unnecessarily complex book-keeping in the larger places; accordingly the division of the cities into districts was made permissive and a proviso was added so that the entire city may be made into a general road district.<sup>157</sup>

In 1919 an act was passed which required contractors to keep street improvements in repair not less than four years. The following General Assembly made an exception in the case of graveling, and the Fortieth General Assembly added oiling and street repair work to the list of exceptions of kinds of improvements which do not need to be kept in repair for four years.<sup>158</sup>

The Thirty-eighth General Assembly empowered the board of health in all cities and towns to compel the installation of sanitary toilet facilities wherever there was a sanitary sewer in the street upon which the property abutted. A technical amendment of the Fortieth General Assembly gave the board the same authority in respect to

<sup>156</sup> *Acts of the Fortieth General Assembly*, Ch. 90.

<sup>157</sup> *Acts of the Fortieth General Assembly*, Ch. 140.

<sup>158</sup> *Acts of the Fortieth General Assembly*, Ch. 124.

property abutting on alleys in which there is a sanitary sewer.<sup>159</sup>

*Public Utilities.*—In 1919 any town, city of the second class (except special charter cities), and commission governed cities whose population did not exceed 35,000 were empowered to place the management of municipal owned waterworks, heating plants, gas works, or electric plants in the hands of a board of trustees. Chapter 129 of the Fortieth General Assembly raises the population limit on the commission governed cities which may take advantage of this statute to 50,000 — thus including the city of Cedar Rapids.<sup>160</sup>

Another act provided for substantially the same arrangement in special charter cities having less than 35,000 population where the people have authorized the purchase or erection of a heating plant, gas works, or electric light or power plant. The board of trustees in special charter cities may be created, however, without submitting that question to the voters as is required in other cities and towns and they have power to purchase or erect, in addition to managing and controlling, the utilities specified, and on that account they must furnish bonds of \$10,000 instead of \$2500 as is required of boards of public utilities trustees in other municipalities. This statute was for the special benefit of Muscatine, which voted in 1922 to erect a municipal electric light and power plant. This act was deemed to be of immediate importance, but after it had been approved the omission of a publication clause was discovered so another act was necessary to provide for publication in order that the law might take effect at once. The

<sup>159</sup> *Acts of the Fortieth General Assembly*, Ch. 118.

<sup>160</sup> *Acts of the Fortieth General Assembly*, Ch. 129.

Muscatine board of electric light and power trustees was created in April, 1923.<sup>161</sup>

In 1919 the city of Des Moines was authorized to buy and operate the waterworks and to create a board of waterworks trustees. This board, conceiving itself non-political and more or less independent of interference from the city council, proceeded to operate the public utility on purely business principles. A new plant was built without additional charges for service. From time to time, however, the authority of the board has been challenged and its work hindered. Moreover, the board decided that the city should pay for the water it used. In order to give the water board full control of the waterworks an act was passed by the Fortieth General Assembly which clarifies the powers of the board and specifically states that the board shall have complete management of the waterworks with the right to make contracts relating thereto and to sue and be sued. The rules governing rate making were revised. The sum of \$350 annually per mile of pipe main was specified as the maximum charge for water furnished to the city, and a tax may be levied to pay for such water. The water board must lay water pipes before paving is done. Furthermore, a working capital of from \$50,000 to \$125,000 is to be created out of surplus from the revenue collected from private water consumers.<sup>162</sup>

*Parks and Playgrounds.*—Since 1916 Council Bluffs has had authority to levy a special tax for the maintenance of a lake park. The year 1925 was fixed as the limit of the period during which this tax could be collected, but the Fortieth General Assembly extended the time until 1935.<sup>163</sup>

<sup>161</sup> *Acts of the Fortieth General Assembly*, Chs. 138, 139.

<sup>162</sup> *Acts of the Fortieth General Assembly*, Ch. 130.

<sup>163</sup> *Acts of the Fortieth General Assembly*, Ch. 121.

All commission governed cities "which have their corporate limits divided by a meandered stream, and which have a population of thirty-five thousand (35,000) or more according to the last preceding state or federal census" — that is, Cedar Rapids, Sioux City, and Des Moines — were given power to acquire land along the meandered stream for park purposes, for sites of public buildings, or for the improvement of the channel and banks of the stream. If approved by the voters, bonds may be issued to pay for the land.<sup>164</sup>

Since 1915 all Iowa cities have had authority to establish playgrounds if the proposition carries at an election. The old law, however, contemplated the purchase of land; and a new act was passed by the Fortieth General Assembly making it perfectly clear that cities may now establish and maintain playgrounds on land already owned or leased by the city if the people approve at an election. Moreover, the law was broadened to include the maintenance of recreation centers in buildings owned by the city.<sup>165</sup>

Another act made the playground maintenance fund, in cities that have voted to establish a municipal playground, available for coöperation with the school corporation in the joint operation and maintenance, under unified control, of all public playgrounds in the city.<sup>166</sup>

*Cemeteries.*—The provisions of an act of the Thirty-ninth General Assembly which permits cities, towns, and townships to use funds raised by taxation for the maintenance of cemeteries in other counties were greatly extended in 1923, so that cities, towns, and townships may now use

<sup>164</sup> *Acts of the Fortieth General Assembly*, Ch. 137.

<sup>165</sup> *Acts of the Fortieth General Assembly*, Ch. 122.

<sup>166</sup> *Acts of the Fortieth General Assembly*, Ch. 123.

funds raised by taxation to support a cemetery in another city, town, or township in the same or another county if the cemetery is not over a mile away. This act was especially designed to meet the needs of the many municipalities which use township cemeteries. Whenever a city or town utilizes a township cemetery the council and the board of trustees may arrange for joint maintenance, in which event they constitute a joint cemetery board with equal voting strength.<sup>167</sup>

Cities and towns were also given the power of transferring by ordinance the management of cemeteries and duties relating to the disposition of the dead to a board of trustees.<sup>168</sup>

*Finance.*— A very large part of the legislation relating to municipalities has to do with problems of finance. It would be difficult to estimate the importance of some of these laws, but probably one of the most far-reaching was an act authorizing all cities and towns, except special charter cities, to levy an additional two mill tax in 1923 and 1924 to meet any deficiency in the ten mill general fund levy. This is probably the beginning of a permanent increase in the general fund levy. At all events the general fund levy in special charter cities was also increased two mills, making it ten mills, while the maximum levy for all purposes in special charter cities was raised from sixteen to twenty-six mills.<sup>169</sup>

Upon the strength of a Supreme Court decision, as construed by an Attorney General, some cities and towns hard pressed for funds have developed the practice of subjecting

<sup>167</sup> *Acts of the Fortieth General Assembly*, Ch. 113.

<sup>168</sup> *Acts of the Fortieth General Assembly*, Ch. 117.

<sup>169</sup> *Acts of the Fortieth General Assembly*, Chs. 141, 338.

The act allowing all cities and towns to levy an additional two mill tax during the next biennium appears to be of general application yet it is printed in the section of the session laws devoted to special legislation.

agricultural lands within the original municipal limits to municipal taxation though the law specifically exempts such land from municipal taxation in extended limits. An act was passed, therefore, to exempt such farm land within the original limits of cities and towns whose population is less than five thousand. While the situation in Audubon was the immediate cause of this legislation, it will have the effect of clarifying the law relating to the taxation of agricultural land in other municipalities. By implication, however, such land within the original limits of a city of over five thousand population may be taxed by the city.<sup>170</sup>

That a large percentage of municipal poll taxes are not collected is a well-known fact. An amendment calculated to facilitate collection makes such taxes payable within fifteen days after the receipt of a demand for payment which may now be made by the clerk serving a personal notice or by a notice through the mail as formerly. Moreover, the city may now collect a penalty of not over two dollars for non-payment of poll taxes.<sup>171</sup>

The procedure governing appeals from special assessments was made much more explicit, the time for serving notice of appeal was extended from ten to fifteen days, and the minimum amount of the plaintiff's bond for the payment of costs was fixed at five per cent of his assessment, but not less than \$250.<sup>172</sup>

The privilege of levying a special tax of one mill for the purchase and maintenance of police service equipment and apparatus was extended to Sioux City. Hitherto Des Moines was the only city allowed to levy such a tax.<sup>173</sup>

<sup>170</sup> *Acts of the Fortieth General Assembly*, Ch. 114.

<sup>171</sup> *Acts of the Fortieth General Assembly*, Ch. 131.

<sup>172</sup> *Acts of the Fortieth General Assembly*, Ch. 125.

<sup>173</sup> *Acts of the Fortieth General Assembly*, Ch. 136.

An act which empowered cities to alter and improve water courses to prevent floods, passed in 1919 for the immediate benefit of Sioux City, was amended by the Fortieth General Assembly so that assessments against benefited property to pay the cost of filling the abandoned channel of the stream could be made independently of other costs. Moreover, the general rule that such assessments should not exceed one-fourth of the actual value of the benefited property was made inapplicable though the provision that the assessment should not exceed the benefits conferred was retained. There are no less than seven technical errors in this measure.<sup>174</sup>

The period during which certain cities may continue to levy an additional yearly tax of one mill for grading, beautifying, and improving parks was extended from 1924 to 1935. Bonds for park purposes have hitherto matured in from fifteen to thirty years after the date of issue, but an amendment now makes it possible to borrow money for as short a period as five years.<sup>175</sup>

In 1917 cities and towns of less than four thousand population were limited in the issuance of bonds for the erection of a hall for community and municipal purposes to an amount not exceeding five per cent of the actual value of the taxable property of the municipality. In 1921 some city, probably Harlan, authorized the expenditure of \$40,000 for a city hall, an amount in excess of what the law allowed the city to raise by taxation or by borrowing. The Fortieth General Assembly granted permission to issue not over \$10,000 additional bonds so as to raise the total sum of \$40,000 authorized.<sup>176</sup>

<sup>174</sup> *Acts of the Fortieth General Assembly*, Ch. 128.

<sup>175</sup> *Acts of the Fortieth General Assembly*, Chs. 119, 120.

<sup>176</sup> *Acts of the Thirty-seventh General Assembly*, Ch. 182; *Acts of the Fortieth General Assembly*, Ch. 323.

The Thirty-ninth General Assembly gave municipalities permission to pay annuities to donors of gifts to the city and authorized a tax levy for that purpose. The Fortieth General Assembly specified that any surplus remaining from this tax after the payment of the annuity should be used for the purpose for which the bequest was made and may be transferred to any fund.<sup>177</sup>

The transition of a special charter city to the manager form of government involves many readjustments. One such problem was taken care of by an act which authorizes the transfer of money on hand to appropriate funds under the new organization in such proportions as the council may determine.<sup>178</sup>

Rock Rapids was given permission to transfer \$10,000 from the sewer fund and \$4000 from the improvement fund to the general fund. These amounts were raised by the sale of bonds and were not needed for the special purposes for which they were originally intended.<sup>179</sup>

The State Constitution limits the indebtedness of all cities, including those under special charter, to five per cent of the value of the taxable property therein. By statute all municipalities except special charter cities have been further limited to one and one-fourth per cent for general purposes, while the additional three and three-fourths per cent of indebtedness can be incurred only for the purchase and operation of certain public utilities. These restrictions have now been made applicable to all special charter cities having less than two thousand population — Camanche and Wapello.<sup>180</sup>

<sup>177</sup> *Acts of the Fortieth General Assembly*, Ch. 193.

<sup>178</sup> *Acts of the Fortieth General Assembly*, Ch. 142.

<sup>179</sup> *Acts of the Fortieth General Assembly*, Ch. 331.

<sup>180</sup> *Constitution of Iowa*, Art. XI, Sec. 3; *Acts of the Fortieth General Assembly*, Ch. 132.



## SCHOOL LEGISLATION

Seldom in the history of Iowa did the cause of public education have as much at stake as during the regular session of the Fortieth General Assembly. Approximately seventy-five bills affecting the public schools were introduced and much of the progressive legislation secured during the past fifteen years was threatened; yet the General Assembly adjourned without seriously handicapping the schools, although few of the score or more measures which became law can be regarded as particularly constructive.

Among the important bills which failed to pass were those relating to the method of selecting county superintendents, the limitation of high school courses of study and the prohibition of athletic contests between high schools, the establishment of State uniform textbooks, and the repeal of the teachers' minimum wage law. Perhaps the greatest disappointment to those interested came when the teachers' annuity bill was withdrawn to save it from defeat.

*Schools and School Districts.*—The Ethell law providing that rural school boards should organize on the third Monday of March — the same time as urban boards — instead of on the first day of July, became a law on July 4, 1923. The tenure of directors whose terms would have expired on July 1, 1924, will be extended to the third Monday of March, 1925, and this arrangement dispenses with the election of March, 1924, except to fill vacancies. This law allows rural boards to secure teachers for the succeeding year at the same time as the urban boards and to contract for the entire year beginning July 1st following their organization.<sup>181</sup>

The statute governing the transportation of pupils in

<sup>181</sup> *Acts of the Fortieth General Assembly*, Ch. 67.

districts where the schools have been closed was amended so that the board is now compelled to furnish transportation only where the distance is two miles or over. Formerly transportation had been furnished for pupils who lived one and one-half miles from the school to which they were assigned.<sup>182</sup>

Several city school districts in Iowa have established or hope to establish junior college courses. The Fortieth General Assembly took cognizance of this situation by allowing such school districts in cities of twenty thousand inhabitants or more to charge graduates of a regular four year high school course sufficient tuition to maintain the junior college. This is an exception to the general rule that no tuition may be charged to residents under twenty-one years of age.<sup>183</sup>

As usual a number of bills relating to the qualifications and certification of teachers were introduced. According to the provisions of an act, which was approved by the Governor after the legislature had adjourned, applicants for teachers' certificates may submit college credits in rural school management, rural sociology, and rural school methods in lieu of the examination in algebra, civics, economics, and physics when securing a first grade uniform county certificate.<sup>184</sup>

*School Finance.* — In order to bring the laws regulating the issuance of school building bonds into harmony with the needs and practices of the larger districts, an amendment was passed making it possible to pay for the construction and equipment of more than one schoolhouse out of the pro-

<sup>182</sup> *Acts of the Fortieth General Assembly*, Ch. 73.

<sup>183</sup> *Acts of the Fortieth General Assembly*, Ch. 72.

<sup>184</sup> *Acts of the Fortieth General Assembly*, Ch. 66.

ceeds of a single bond issue.<sup>185</sup> Due to the wording of the old law there was some doubt as to this point.

A measure introduced by Representative Thomas Parsons repealed the emergency act of the Thirty-ninth General Assembly which had allowed school bonds issued or voted between February 21, 1921, and January 1, 1923, to bear interest at the rate of six per cent per annum, and to be redeemable after five years. Thus the statute relating to the interest rate and the maturity of school building bonds now stands as it was prior to 1921.<sup>186</sup> However, to relieve districts where buildings were in process of construction, or to be constructed to replace buildings destroyed by fire, and for the relief of districts having outstanding school-house fund warrants an enabling act was passed. This act allows such districts to call a special election to vote a tax of not to exceed twenty mills on the dollar of taxable property for a period not to exceed fifteen years. When this tax has been voted and levied the board may anticipate the income by issuing special school building bonds or certificates. Such a tax, however, could not be authorized later than September 1, 1923.<sup>187</sup>

Five days after the passage of this act the General Assembly enacted a measure allowing school districts, in case of an emergency arising prior to September 1, 1923, to hold an emergency election upon seven days' notice. The purpose of this law was to hasten the process of bonding and to enable the erection of structures to replace those destroyed by fire.<sup>188</sup>

Special relief was granted to the consolidated independent school district of Carpenter by an act authorizing that

<sup>185</sup> *Acts of the Fortieth General Assembly*, Ch. 76.

<sup>186</sup> *Acts of the Fortieth General Assembly*, Ch. 77.

<sup>187</sup> *Acts of the Fortieth General Assembly*, Ch. 319.

<sup>188</sup> *Acts of the Fortieth General Assembly*, Ch. 320.

district to issue warrants for \$6000 in excess of the funds available and to levy a tax to redeem the same. This was done to correct a mistake in the enumeration of the school population and in the amount of the tax levy for the current year.<sup>189</sup>

Owners of property to be condemned for school purposes now have the privilege of selecting one of the appraisers, the county superintendent now selects one — instead of all three — and these two appoint the third appraiser. If the owner can not be found the county auditor is authorized to appoint an appraiser for him. The act is so worded and punctuated that it is open to the interpretation that the county superintendent shall appoint the owner as one of the appraisers.<sup>190</sup>

An act of the Thirty-ninth General Assembly required the boards of all consolidated and urban school districts to publish annually in July a detailed statement of all expenditures showing the name of person to whom paid and the amount and purpose of each claim, and to publish a detailed estimate of funds required for the succeeding year. The administration of law involved so much work and expense that the Fortieth General Assembly amended it so as to require boards to publish only the name of each payee and the amount of the claim, and to allow boards to publish a summarized rather than a detailed estimate of funds needed.<sup>191</sup>

It would appear that there were school districts in Iowa fortunate enough to have an excess of money in their general fund on April 1, 1923. An act was passed enabling such districts to transfer any part of such excess, not to

<sup>189</sup> *Acts of the Fortieth General Assembly*, Ch. 327.

<sup>190</sup> *Acts of the Fortieth General Assembly*, Ch. 74.

<sup>191</sup> *Acts of the Fortieth General Assembly*, Ch. 69.

exceed \$7000, to the schoolhouse fund upon approval by the district court after proper application, publication, and hearing. This is, however, only a temporary measure.<sup>192</sup>

*State Aid.* — In the past Iowa has granted State aid for educational purposes under eight heads: teachers' normal institutes, normal training high schools, consolidated schools, standard rural schools, education of deaf children, mining camp schools, vocational rehabilitation education, and vocational training. The appropriations for the first five are continuing and, with the exception of an emergency appropriation for the education of deaf children, were not affected by any legislation of the Fortieth General Assembly. The funds for mining camp schools, vocational rehabilitation, and vocational training were subject to considerable discussion and amendment. The appropriation of \$50,000 a year for mining camp schools was renewed, and the appropriation for vocational rehabilitation was continued for the next biennium at the same amount—that is, \$22,836.45 annually. In regard to vocational training, however, the legislature repealed the State aid appropriation which has ranged from \$40,000 in 1919-1920 to \$60,000 for the year ending June 30, 1923. Thus the burden of matching dollar for dollar the Federal aid offered under the Smith-Hughes Act is shifted entirely to the local school districts.<sup>193</sup>

When the Thirty-ninth General Assembly undertook to increase the age limit of deaf children for whom State aid is available, the word ten was changed to twelve in only one of the two places where it appeared in the statute. This made the law read that State aid could be paid for the instruction of deaf children up to the age of ten but that no

<sup>192</sup> *Acts of the Fortieth General Assembly*, Ch. 337.

<sup>193</sup> *Acts of the Fortieth General Assembly*, Chs. 60, 286, 295.

deaf child over twelve should be eligible to special instruction. Thus the State could not legally give aid for the instruction of any older deaf children than it could before. Several of the larger school districts which had been active in having the age limit increased proceeded to give instruction to deaf children up to the age of twelve on the strength of the intent of the amendment. Consequently the Fortieth General Assembly passed a special appropriation of \$600 to compensate the school districts of Des Moines, Dubuque, and Ottumwa for the instruction they had provided during the years 1921 and 1922. Moreover, the ambiguity in the statute as to the age limit was removed so that State aid will now certainly be available for all deaf children up to the age of twelve.<sup>194</sup>

A bill, sponsored chiefly by John A. Storey, was passed appropriating the sum of \$50,000 a year to provide for normal training courses in private colleges under the direction of the State Board of Education. The measure was, no doubt, intended to appease the proponents of additional normal schools. Governor Kendall, however, vetoed this bill after the close of the session on the grounds that the bill did not receive the necessary two-thirds majority for an appropriation of public funds for private purposes, that the act was in violation of the Constitution, and that it tended to establish a dangerous partnership between the State and the sectarian colleges. He felt also that the appropriation was inadequate for effective work.<sup>195</sup>

One of the most constructive measures enacted by the Fortieth General Assembly provided that physical education be introduced and required of all pupils in public ele-

<sup>194</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 98; *Acts of the Fortieth General Assembly*, Chs. 71, 278.

<sup>195</sup> *Acts of the Fortieth General Assembly*, Ch. 64; *The Des Moines Register*, May 9, 1923.

mentary and secondary schools after September 1, 1924. In preparation for such instruction every State college and high school which offers teacher training must provide courses in physical training beginning on September 1, 1923.<sup>196</sup>

*Ideals.*—Three laws evidently intended to inspire higher ideals and appreciation were enacted. One made services in connection with the raising of the flag in schools compulsory rather than optional. Another fittingly requires officials to raise the flag over schools and other public buildings on Mother's Day. The third act designates March 21st as State Bird Day and makes it the duty of all public schools to observe the day by a special study of birds and their protection.<sup>197</sup>

#### SOCIAL WELFARE

Doubtless the most prominent measure in the field of social welfare was the act to promote the welfare and hygiene of maternity and infancy which made funds appropriated by the Sheppard-Towner law available in Iowa. In January, 1922, Governor Kendall had accepted the terms of the Federal act on behalf of the State for a period extending to six months after the adjournment of the regular session of the Fortieth General Assembly, and he heartily recommended continued coöperation with the Federal government in "the great and humanitarian enterprises". The measure, which carried an annual appropriation of \$21,213.60 to match an equal amount from the Federal government, had the support of the Iowa League of Women Voters. It was opposed by legislators who were pledged to a program

<sup>196</sup> *Acts of the Fortieth General Assembly*, Ch. 68.

<sup>197</sup> *Acts of the Fortieth General Assembly*, Chs. 70, 79, 388.

of economy and those who felt that the whole system of Federal aid was a dangerous innovation in the American system of government. Nevertheless, after being amended to exempt Christian Scientists and others from compulsory acceptance of proffered aid, the bill passed. The State Board of Education, acting through the State University, is charged with the administration of the terms of the law for promoting the welfare and hygiene of maternity and infancy; the work has been assigned to the University Extension Division.<sup>198</sup>

The widow's pension law was rewritten and some of its more important defects were remedied. Residence of one year in the county is now required; no allowance can be made until the board of supervisors have had ten days in which to show why it should not be granted; no allowance can be effective for more than two years, and all pensions now in effect cease automatically at the end of 1923; no allowance can continue after the mother has remarried or moved to another county or State; and the maximum allowance per week for each child was reduced from \$3.00 to \$2.50. These changes will prevent many of the abuses that had developed.<sup>199</sup>

The usual attempt to limit the hours of work for women was defeated. The bill before the Fortieth General Assembly proposed to establish a nine hour day for women employed in mechanical and mercantile establishments, factories, laundries, hotels, restaurants, in any express, transportation, or public utility business, and in telephone or telegraph offices. Supported by labor and club women as a protective measure, and opposed by women in execu-

<sup>198</sup> *House Journal*, 1923, pp. 32, 1065; *Acts of the Fortieth General Assembly*, Ch. 61.

<sup>199</sup> *Acts of the Fortieth General Assembly*, Ch. 57.



tive positions as placing unfair restrictions upon women competing with men in business and industry, the bill provoked one of the longest and most oratorical debates of the session. After the adoption of numerous amendments which practically nullified the purpose of the bill it was defeated by a vote of twenty-six to eighty.<sup>200</sup>

Since 1917 persons operating pool or billiard tables or bowling alleys outside the limits of cities or towns have been required to obtain a license from the county. This law was changed in 1923 to include theaters and the license is now issued by the township trustees who may prescribe the conditions under which such places of amusement shall be operated. The license fee of \$5 a month for each table or bowling alley was abolished but the penalty for violating the law remains a maximum fine of \$25. This act will serve to localize the control of such amusements.<sup>201</sup>

Representative J. P. Gallagher tried to establish a State board to censor motion picture films, but neither of the bills he introduced received favorable consideration.<sup>202</sup>

On March 24, 1923, a loaded elevator in the Randolph Hotel in Des Moines fell eight stories and resulted in several fatalities. In the week following this accident, bills were introduced in both houses of the legislature regulating the construction and operation of elevators. A law passed without opposition provides for the adoption by a conference board of a code of standards for the construction, equipment, and operation of elevators and for inspection by the Commissioner of the Bureau of Labor Statistics.<sup>203</sup>

<sup>200</sup> House File No. 478; *House Journal*, 1923, pp. 1462-1465.

<sup>201</sup> *Acts of the Fortieth General Assembly*, Ch. 98.

<sup>202</sup> House File Nos. 325, 569.

<sup>203</sup> *Acts of the Fortieth General Assembly*, Ch. 18; *The Des Moines Register*, March 26, 1923.

Representative L. B. Forsling introduced five bills embodying changes in the workmen's compensation law recommended by the Industrial Commissioner. The amendments included a fifty per cent reduction of compensation to aliens; a requirement that employers providing their own compensation must show their ability to do so every year; changes in the amount of compensation in certain circumstances; a provision classifying industrial diseases as injuries under the law; the limitation of the period for filing claims for indemnity to two years; and the reduction of the waiting period from two weeks to one. All of these bills were indefinitely postponed.<sup>204</sup>

Although some of the weak places in the workmen's compensation law were not strengthened, the general terms of the law were extended to peace officers injured in the performance of their duties. The State is made liable for the payment of such indemnity.<sup>205</sup> (This act is also discussed in connection with municipal legislation.)

Another law in the interest of public safety requires that mine inspectors shall post a summary report of the condition of the mine in some place where the employees have free access to it.<sup>206</sup>

#### LIQUOR LEGISLATION

Since national prohibition went into effect State legislation relating to the traffic in intoxicating liquor has been confined chiefly to measures for the enforcement of the prohibition laws. Six acts on this subject were placed on the Iowa statute books by the Fortieth General Assembly. The

<sup>204</sup> House File Nos. 319, 320, 321, 322, 323.

<sup>205</sup> *Acts of the Fortieth General Assembly*, Ch. 17; *The Northwestern Banker*, May, 1923.

<sup>206</sup> *Acts of the Fortieth General Assembly*, Ch. 16.

longest, and probably the most important of them, was a comprehensive measure of twenty-one sections introduced by the Senate Committee on Suppression of Intemperance and aimed to put a stop to home brewing. This act repeals the former law regulating the search of premises and the seizure of intoxicating liquor, the trial of the alleged guilty parties, and the disposition of the liquor seized, and substitutes more effective procedure. Premises may now be searched not only for liquor but also for "instruments and material" used in the manufacture of liquor. The instruments seized are to be converted into junk, the materials that are of no value for anything but liquor-making are to be destroyed and other materials are to be sold, while the liquor is to be disposed of as formerly. According to the provisions of Chapter 20, which had been approved two weeks earlier, the possession, manufacture, and sale of home brewing instruments was made unlawful.<sup>207</sup>

The definition of a bootlegger was broadened by specifically including those who procure for, sell, or give liquor to minors, drunkards, or intoxicated persons. Moreover, a penalty of from \$300 to \$1000 fine, jail imprisonment from three to twelve months, or both, was prescribed for the misdemeanor of bootlegging. Inasmuch as this act included the content of two existing sections of the liquor law they were later repealed.<sup>208</sup>

Another act establishes procedure for the seizure and sale of any vehicles including automobiles, boats, and airplanes, used in the illicit transportation of intoxicating liquor. The law is designed to curb the bootleggers' traffic by making the transportation of liquor dangerous and expensive.<sup>209</sup>

<sup>207</sup> *Acts of the Fortieth General Assembly*, Chs. 20, 23.

<sup>208</sup> *Acts of the Fortieth General Assembly*, Chs. 22, 25.

<sup>209</sup> *Acts of the Fortieth General Assembly*, Ch. 24.

The definition of a "persistent violator" of the liquor law was clarified and the penalty changed. Instead of a year sentence to the penitentiary for each offense after the first, such a person is subject to a fine of from \$500 to \$1000 or imprisonment in the county jail for the second offense, while for subsequent offenses the maximum penalty is now three years in the penitentiary.<sup>210</sup>

#### PUBLIC HEALTH

The Fortieth General Assembly is notable for the enactment of several new laws relating to public health. Health officers and the medical profession are well satisfied with the results. Probably one of the most important measures was an act calculated to prevent the pollution of streams and lakes, by making it the duty of the State Board of Health to investigate complaints and order the discontinuance of the discharge into such waters of any sewage or other befouling matter which renders the water impure, pollutes the source of any public water supply, or is deleterious to fish life. This act is in addition to the provisions of the law relating to the abatement of nuisances and is designed particularly to prevent cities and towns from discharging sewage into rivers.<sup>211</sup>

When the new vital statistics law was passed in 1921 the regulations contained in the former vital statistics law relating to the disinterment of dead bodies were inadvertently repealed. This situation was remedied by the Fortieth General Assembly in an act making disinterment unlawful except with the written permission of the State Board of Health or the district court after thorough investigation and under "circumstances of extreme exigency". Violation

<sup>210</sup> *Acts of the Fortieth General Assembly*, Ch. 21.

<sup>211</sup> *Acts of the Fortieth General Assembly*, Ch. 37; *The Des Moines Register*, April 25, 1923.

of this act is a felony punishable by a maximum term of two years in the penitentiary, a fine not exceeding \$2500, or both.<sup>212</sup>

Another important measure in the interest of public health is an act to discourage the manufacture and sale of bed mattresses and comforts which are made of infectious, insanitary, unhealthful, or secondhand materials. This end is to be accomplished by requiring all such articles manufactured or sold in the State to be labeled with a true description of the materials used. The State Board of Health is charged with the inspection of mattress and comfort factories and the enforcement of the law. Violations are defined as misdemeanors punishable by fine and imprisonment. The act will be especially useful in preventing the spread of such diseases as leprosy and anthrax.<sup>213</sup>

In 1919 a law was passed which permitted the manufacture and sale of "Imitation Evaporated Milk" and "Imitation Ice Cream" if so labeled. This provision was repealed in 1923 and it is now unlawful to manufacture or sell under any label "milk, cream, ice cream, skim milk, buttermilk, condensed or evaporated milk, powdered or dessicated milk, condensed skim milk, or any fluid derivatives of any of them to which has been added any fat or oil other than milk fat". The enforcement of this law will fall to the Secretary of Agriculture though the act specifies the Dairy and Food Commissioner whose office was abolished.<sup>214</sup>

Until the Fortieth General Assembly passed a comprehensive and stringent law on the subject, there was no adequate means of controlling the sale and use of narcotic drugs in Iowa. The possession, importation, manufacture,

<sup>212</sup> *Acts of the Fortieth General Assembly*, Ch. 39.

<sup>213</sup> *Acts of the Fortieth General Assembly*, Ch. 36.

<sup>214</sup> *Acts of the Fortieth General Assembly*, Ch. 44.

and sale of opium, coca leaves, or their derivatives including cocaine, morphine, heroin, and codeine, are now prohibited, with specified exceptions. Vehicles and containers used in the transportation of such drugs are subject to seizure and condemnation, while a building in which such drugs are kept, sold, or used may be deemed a nuisance and abated. Heavy penalties are prescribed for violations.<sup>215</sup>

#### STATE PARKS

In recent years much attention has been paid to the conservation of natural resources and particularly the preservation and development of a system of State parks in Iowa. The Thirty-seventh General Assembly created the State Board of Conservation, and in 1919 control over the State park system was given to that body.<sup>216</sup> The annual appropriation of \$50,000 for the use of the Board was more than doubled by the Thirty-eighth General Assembly and left unchanged until 1923 when the Fortieth General Assembly decreased the amount \$25,000 per year.<sup>217</sup>

Another act passed by the legislature in 1923 revised and codified the law relative to the organization and functions of the State Board of Conservation. In general its powers were left unchanged and a few were added. The Board is ordered to undertake surveys to establish boundary lines between State-owned lands and private property and is authorized to call upon one of the State Highway Commission engineers and the county engineers to assist in making the surveys. The greatest change made by the law was the reorganization of the Board itself. Instead of a board com-

<sup>215</sup> *Acts of the Fortieth General Assembly*, Ch. 43.

<sup>216</sup> *Acts of the Thirty-seventh General Assembly*, Ch. 236; *Acts of the Thirty-eighth General Assembly*, Ch. 368.

<sup>217</sup> *Acts of the Thirty-eighth General Assembly*, Ch. 368; *Acts of the Fortieth General Assembly*, Ch. 34.

posed of the Curator of the Historical Department and three members appointed by the Governor, the Board is now made up of five members appointed by the Governor, and the Secretary of the Executive Council will act as its secretary. Moreover, the term of office of the members is fixed at three years; and since not more than two go out of office at the same time, it is now a continuing body. The Board may make arrangements with a county board of supervisors or a city or town council, subject to the approval of the Executive Council, whereby the board of supervisors or city council will maintain a State park situated within their respective jurisdictions, and the expense of maintenance is to be paid out of the general county or city fund. The provision authorizing a board of supervisors to purchase land for park purposes upon authorization by vote of the people and then transfer the title thereto to the State Board of Conservation was left out of the revised law.<sup>218</sup>

The Executive Council was authorized to exchange Wood Lake in Hancock County for real estate bordering on Eagle Lake also in Hancock County. The two lakes are only about six hundred feet apart and the action of the legislature can be explained by the fact that Wood Lake, which contains only forty-two acres and is dry most of the time, will be of little value as a preservatory of natural resources, whereas there is a great desire to preserve Eagle Lake and make it available to the public as a State park. Additional land would be required for a park and for a connecting road.<sup>219</sup>

#### FISH AND GAME

The ownership of mussels, clams, and frogs in Iowa was

<sup>218</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 135; *Acts of the Fortieth General Assembly*, Ch. 33.

<sup>219</sup> *Acts of the Fortieth General Assembly*, Ch. 322; *Report of the State Highway Commission on the Iowa Lakes and Lake Beds*, 1917, pp. 87-90.

said to be vested in the State just as the ownership of all wild game, animals, birds, and fish has been heretofore.<sup>220</sup>

The Thirty-ninth General Assembly made it unlawful to kill raccoons between the first day of February and the fifteenth day of October. The closed season on these animals was extended to November 15th, and skunks were given the same protection by the Fortieth General Assembly. The shooting of ruffed grouse and pheasants is prohibited until November 1, 1932. Provisions of the game law were repealed so that it is no longer unlawful to shoot game birds from an artificial ambush.<sup>221</sup>

The law relative to letting contracts for fishing with nets by private parties was revised. The State Fish and Game Warden was formerly authorized to enter into written contracts with private persons or corporations for the taking of buffalo, carp, quillback, redhorse, suckers, and gar with a seine or net from certain lakes with an area of not less than two square miles. Dogfish were added to this list by the Fortieth General Assembly, and contracts may now extend to the public waters of the State. As heretofore the agreements must state specifically the waters to which they apply and the compensation to be paid to the State. The fishing may be carried on only in the presence of the Warden or one of his deputies and the holder of the contract must pay all expenses of the Warden as well as the fees for inspection. A new provision requires that no fishing may be done under the agreement until the holder has deposited a bond of at least \$500 conditioned upon the faithful performance of the contract and the payment of damages resulting in a breach thereof. According to the provisions of the revised law contracts may apply from June 15th to March 1st of the

<sup>220</sup> *Acts of the Fortieth General Assembly*, Ch. 32.

<sup>221</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 87; *Acts of the Fortieth General Assembly*, Chs. 29, 30, 31.



following year. Formerly they applied only from June 15th to the first day of December of the same year. This extension is not as great as it might indicate since fishing with nets or seines from December 1st to March 1st is often beset with difficulties. The provision authorizing the Warden to take fish from the rivers and lakes in Iowa at any time for the purpose of propagation or restocking other waters in the State or for exchanging them for other fish to be used for those purposes is not included in the revised act.<sup>222</sup>

A number of measures relative to fish and game failed to be enacted. One of these, a House bill, proposed to make unlawful all fishing in the State with hook and line or trot line unless a license had been secured from the county recorder. The license fee for non-residents was to be two dollars, while residents of Iowa were to pay one-half that amount. Another measure containing eighty sections was introduced by the House Committee on Fish and Game. It embodied a license feature similar to the one described and proposed to revise and codify the fish and game protection laws now in force. A Senate bill prohibiting hunting or shooting upon public highways passed the upper house but was referred to the sifting committee in the lower chamber where apparently it was lost. It prescribed a penalty of thirty days imprisonment in the county jail or a fine of one hundred dollars or both and revocation of the hunting license held by the guilty party.<sup>223</sup>

#### AGRICULTURE AND ANIMAL HUSBANDRY

Governor Kendall, in his inaugural address, devoted more attention to the needs of agriculture than to any other subject. He pointed out that during the past three years the

<sup>222</sup> *Acts of the Fortieth General Assembly*, Ch. 28.

<sup>223</sup> Senate File No. 723; House File Nos. 796, 802; *Senate Journal*, 1923, p. 1557; *House Journal*, 1923, p. 1801.

farmers of Iowa have been operating at a loss, due to their inability to control the price of their products. There has been too much disparity between the price of the things they sell and the cost of what they buy. Already deeply in debt and with credit facilities exhausted, the farmers have been unable to hold their stock and grain for a good market. In view of these facts the Governor earnestly advocated the establishment of better marketing methods and the creation of additional rural credit facilities. He especially favored a new warehousing law whereby the farmer could certificate against grain in his own crib or granary and thus obtain additional credit and develop a system of commodity exchanges. Such a scheme, he thought, would have a tendency to make it practicable to deal in agricultural products on paper and the commodities could then be moved directly from the area of production to the place of consumption. This paper, the Governor thought, should be eligible for discount through the Federal reserve system. Moreover, he proposed that the State should follow the example of South Dakota in loaning money to actual farmers upon an amortization plan. Most of these suggestions were founded on the report of a commission, which the Governor had appointed in compliance with a recommendation in the Republican State platform of 1922, to investigate rural credit systems and coöperative associations in neighboring States.<sup>224</sup>

The first move in the legislature toward financial assistance to farmers was the introduction and adoption of a resolution memorializing the Iowa delegation in Congress to use all honorable means in securing the adoption of the amendment of the Federal Farm Loan Act for the establishment of Federal intermediate credit banks.<sup>225</sup>

<sup>224</sup> *House Journal*, 1923, pp. 154-158.

<sup>225</sup> *House Journal*, 1923, pp. 98, 181.

On January 19th Senator M. L. Bowman introduced a joint resolution to amend the Constitution so that the State might become indebted for the purpose of maintaining a system of rural credits and loaning money to resident citizens upon rural real estate security located in Iowa. Constitutional amendment, however, would afford no immediate relief and efforts were directed toward emergency legislation. On January 20th the Governor was requested to appoint a legislative committee to attend an inter-State conference at Sioux City, held for the purpose of investigating methods of stabilizing the prices of agricultural products. A joint committee was also appointed to consider the feasibility of establishing a State rural credit system. This committee reported on February 15th that the best method of relieving the burden of excessive interest on farm land loans was for the State to go into the business of loaning money on real estate security, but inasmuch as this could not be done without changing the Constitution the committee recommended the passage of the Bowman amendment. Later on the same day the Senate passed the constitutional amendment, but in the House, action having been deferred until April 12th, the amendment failed by three votes.<sup>226</sup>

The only relief measure which did gain enactment was an agricultural warehouse act calculated to furnish additional credit to farmers and possibly to improve marketing conditions. This act provides for the issuance of warehouse certificates against grain stored on the farm. The general administration of the law is under the direction of the State Secretary of Agriculture. He appoints local supervisory boards of from three to seven members with authority to supervise the storage of grain and the issuance of the cer-

<sup>226</sup> *Senate Journal*, 1923, pp. 213, 263, 266, 267, 268, 496, 505; *House Journal*, 1923, p. 1667.

tificates, which may be either negotiable or non-negotiable. Some local person who is a good judge of grain and who is approved by the Secretary of Agriculture acts as sealer of granaries, cribs, and bins and inspector of the stored grain. A maximum fee of one cent a bushel may be charged for these services. For the purpose of affording a higher degree of security grain owners may organize and store their grain jointly, in which case "group certificates" are issued. All grain stored and sealed under the provisions of this act must be insured against fire and windstorm. There are also guarantees against the issuance of false certificates, the breaking of seals, and the sale, mortgaging, or delivery of stored grain which would seem to make agricultural warehouse certificates very good security for loans. If, however, the law was intended to promote the marketing of grain through the sale of these certificates and thus save transportation and other costs by direct delivery, the provisions in regard to grading and proper storage of the grain appear to be too meager to permit trading in grain on the basis of the certificates.<sup>227</sup>

County boards of supervisors have the authority to furnish financial aid out of the general fund to farm improvement associations. An effort to require this money to be raised by a special tax levy approved at a county election provoked a spirited debate in the Senate over the activities of the Farm Bureau Federation. The proposition was indefinitely postponed by a vote of thirty-four to five.<sup>228</sup>

Since 1917 the State has provided financial aid to the Iowa State Dairy Association, the Iowa Beef Cattle Producers' Association, and the Iowa Corn and Small Grain Growers' Association for furnishing instruction in prac-

<sup>227</sup> *Acts of the Fortieth General Assembly*, Ch. 191.

<sup>228</sup> Senate File No. 294; *Senate Journal*, 1923, pp. 424-426; *Acts of the Thirty-seventh General Assembly*, Ch. 90.

tical and scientific agricultural methods. The Fortieth General Assembly renewed the biennial appropriation of \$32,500 for this purpose.<sup>229</sup>

A statute reputed to be "the most comprehensive legislation that has yet been enacted in any state" for the elimination of bovine tuberculosis was passed by the Fortieth General Assembly. The new law provides that when fifty-one per cent of the owners of breeding cattle in a county sign agreements to have their herds tuberculin tested the county may be enrolled under the county area testing plan by the Commission of Animal Health (the State Secretary of Agriculture under the new reorganization law). If seventy-five per cent of the owners of breeding cattle in any county operating under the county area plan sign such agreements the county must be declared an accredited area and it then becomes the duty of every owner of breeding cattle in the county to have his cattle tested. This will comply with the requirements of the United States Department of Agriculture for accredited counties. One or more accredited veterinarians are appointed by the Secretary of Agriculture to act as tuberculosis inspectors in each area. Funds from both the State and Federal government are available to pay for the inspection and the indemnity for slaughtered animals. In addition, a county tuberculosis eradication fund may be created from the proceeds of a maximum three mills property tax if the proposal to levy such a tax carries at a general election. This is for the purpose of supplementing the State and Federal funds, which will be insufficient in some counties.<sup>230</sup>

Heretofore the work of bovine tuberculosis eradication has been seriously handicapped in Iowa on account of in-

<sup>229</sup> *Acts of the Fortieth General Assembly*, Ch. 47.

<sup>230</sup> *Acts of the Fortieth General Assembly*, Ch. 48; *The Des Moines Register*, April 16, 1923.

adequate funds to pay the indemnities on infected cattle which were slaughtered. The owner was allowed a maximum of \$80 for each purebred animal and \$40 for a grade animal. The Governor recommended a liberal increase of State funds for this purpose and a bill to double the annual appropriation of \$250,000 was introduced but defeated. To make the available funds go farther, and in consideration of the free inspection service, the maximum indemnities were reduced to \$50 for purebred and \$25 for grade cattle. Moreover, five per cent of the appraised value of the herd will be deducted from the amount of the indemnity claim. This will place the burden of a slight loss upon the owner and still protect the heavy loser.<sup>231</sup>

The hog cholera law was extensively amended in 1921, yet the Fortieth General Assembly found occasion to pass two acts further amending that statute. The object of the amendments is to further facilitate the use of the serum or virus by hog raisers. The procedure by which farmers may secure instruction through the Extension Department of the College of Agriculture in the administration of the serum was simplified. Though there must now be ten applicants instead of seven for such a local school of instruction, the fee has been reduced from \$5 to \$3. Under the former provisions of the law farmers with permits to administer the serum could not purchase it directly from the manufacturer. To remedy this situation the definition of a "dealer" in hog cholera serum or virus was broadened to include manufacturers who sell their products directly to the consumer. This provision is intended to diminish the monopoly of the veterinarians. Moreover, lists of authorized manufacturers and dealers in serum are to be furnished to

<sup>231</sup> Senate File No. 472; *Senate Journal*, 1923, p. 1487; *Acts of the Fortieth General Assembly*, Chs. 48, 49.

permit holders, and lists of permit holders are in turn supplied to manufacturers and dealers. Another new section requires all permit holders to report their activities in the use of hog cholera serum annually to the Secretary of Agriculture (the Commission of Animal Health is still designated as the agency in charge of the administration of the hog cholera serum law), and it is thought that these statistics will be valuable in the fight to prevent the ravages of hog cholera.<sup>232</sup>

An amendment to the law relating to the registration of animals is designed to prevent the use for breeding purposes of stallions which are not purebred. The enrollment of any stallion which is not purebred is prohibited and no unenrolled stallion can be offered for service.<sup>233</sup>

#### DRAINAGE

Due to the technical procedure that must be followed in the establishment and maintenance of drainage or levee systems and the detailed legal provisions by which drainage authorities are hedged about in the exercise of their duties, there is a necessity for constant revision of the law relative to these improvements. Consequently each session of the legislature contributes its share of amendments made necessary by some unforeseen exigency. The acts passed by the Fortieth General Assembly contain a number of such provisions.

The boards of supervisors are now forbidden to spend more for the preliminary expenses incident to the establishment of a drainage district than the amount of the bond filed by the petitioners. Should it become necessary to pay out a greater sum the board is authorized to require an

<sup>232</sup> *Acts of the Fortieth General Assembly*, Chs. 50, 51.

<sup>233</sup> *Acts of the Fortieth General Assembly*, Ch. 52.

additional bond from the petitioners, but until that bond is filed all preliminary work must cease.<sup>234</sup>

In the past some assessments levied on lands for drainage purposes have been cancelled after the project was completed because of some jurisdictional defect or because of some illegality as to the terms of the contract. By virtue of an act passed by the Fortieth General Assembly the board of supervisors may, under those circumstances, correct the defects or irregularities and relevy the assessments if the contractor gives his consent. Such assessments are then just as legal as if no irregularity had existed.<sup>235</sup>

In cases where laterals to open or closed main drainage ditches are constructed for a less cost than the amount assessed upon the property benefited, the drainage authorities of the district concerned may refund a proportional share of the surplus to the various landowners if the amount of excess can be ascertained. Special drainage assessments, when no waiver for deferred payments has been made, may now be paid in two installments at the same time as other taxes. The installments are not necessarily equal, however, since the county treasurer is authorized to collect in March only such part of the assessments as will be needed to pay the interest and amount of maturing bonds or certificates up to the time of paying the second installment of taxes. The balance of the assessments then become due, without penalty, in September as other taxes.<sup>236</sup>

If the indebtedness of a drainage or levee district operating a pumping station is more than \$1000, bonds may be issued to refund the amount of the debt. These bonds may be issued by the board of supervisors only after the owners

<sup>234</sup> *Acts of the Fortieth General Assembly*, Ch. 154.

<sup>235</sup> *Acts of the Fortieth General Assembly*, Ch. 155.

<sup>236</sup> *Acts of the Fortieth General Assembly*, Chs. 156, 157.



of ten per cent of the land within the district have petitioned to extend the time for the payment of their assessments. A resolution of the county board must provide for the issue of the bonds, they may not run for more than twenty years, the interest rate may not be more than six per cent, and they must be in the form prescribed in the law. The duty of selling the bonds devolves upon the county treasurer who is directed to dispose of them for cash on the best available terms.<sup>237</sup>

Levees constructed by the United States government on the banks of the Mississippi and Missouri rivers in Iowa may now be controlled by boards composed of three popularly elected trustees instead of by the county supervisors, if the majority of the persons owning land in the district desire that form of control. This was already possible for some types of drainage or levee districts.<sup>238</sup>

No less than four separate acts were passed by the Fortieth General Assembly to appropriate funds for the payment of drainage assessments levied against lands owned by the State of Iowa. The assessment on State property in Clay County arising out of the drainage of Mud Lake amounted to \$9792.33 and this sum was appropriated for that purpose. The sum of \$12,379.96 was made available for paying the assessments against State owned lands in Emmet County. The necessity for this appropriation arose out of the project undertaken for the draining of East Swan Lake. Odessa Lake in Louisa County and Keokuk Lake in Muscatine County are contained in a joint drainage district. The assessments levied against the land in these lakes amounted to \$75,053.63 and this sum was appropriated by the Fortieth General Assembly. Funds suffi-

<sup>237</sup> *Acts of the Fortieth General Assembly*, Ch. 159.

<sup>238</sup> *Acts of the Fortieth General Assembly*, Ch. 158.

cient to pay Iowa's share of the expense in draining Goose Lake in Greene County were also made available. According to estimates compiled in the office of the Auditor of State about \$80,000 will be needed for this purpose.<sup>239</sup>

#### HIGHWAY LEGISLATION

As in other recent sessions of the legislature, considerable attention was paid to highway problems by the Fortieth General Assembly and several changes were made in the road improvement laws of Iowa. In his biennial message to the legislature, delivered on January 9th, Governor Kendall called attention to deficiencies in the primary road law which should be remedied if Iowa expected to continue receiving aid for road building from the national government. He pointed out the requirement in the Federal law that selection of types of surfacing for Federal roads, as well as their maintenance, be entrusted to the State Highway Department. The Iowa laws vest both of these powers in the county boards of supervisors.<sup>240</sup>

Thirteen days later the recommendations of the State Highway Commission were presented to the House of Representatives by W. C. Edson of Buena Vista County, chairman of the House Committee on Roads and Highways, and were read into the journal of that chamber. Not only did the Commission recommend that the primary law be amended so as to conform to Federal aid requirements, but it requested also that the law be changed so as to permit payments for the right of way from the primary road fund; that special assessments for paving be abolished; that additional power be given to secure the right of way for primary roads through orchard lands and in towns; that it be

<sup>239</sup> *Acts of the Fortieth General Assembly*, Chs. 283, 293, 300, 349.

<sup>240</sup> *House Journal*, 1923, pp. 36, 37.

made lawful to pay the cost of improving or eliminating dangerous railroad crossings on extensions of primary roads in cities out of the primary road fund; that the issue of funding bonds by county boards for road and bridge building purposes without a vote of the people be made illegal; that the law be broadened so that grading and draining as well as surfacing might be included in secondary road improvement projects; that the Commission be given authority to remove advertising signs within the right of way; that a tax be levied on gasoline; and that an occupational tax be levied on motor vehicle carriers.<sup>241</sup>

Later on the same day Representative J. P. Gallagher proposed a concurrent resolution memorializing the members of Congress from Iowa to oppose the granting of any further Federal aid to States for any purpose. According to this resolution a continuation of the practice would lead to the substitution of bureaucracy for democracy. The resolution further declared that "it is deemed unwise, dangerous, unpatriotic and openly and offensively antagonistic to the spirit and genius of the American form of state government to sanction, endorse, or to co-operate with to the extent of accepting any plan, policy, offering, or tender of federal aid in the conduct, handling or performing of any work, function or obligation constitutionally set apart as the inherent and inviolable right, or rights, of the several sovereign states".<sup>242</sup>

The resolution was called up for final consideration on February 2nd, and the vote was preceded by spirited debate in which the theory of State rights was invoked in defense of the resolution. It was pointed out, however, that according to John Marshall the United States Constitution gives

<sup>241</sup> *House Journal*, 1923, pp. 267-271.

<sup>242</sup> *House Journal*, 1923, p. 274.

the central government of the United States implied powers, and that the strict adherence to the principle of State rights for which the advocates of the resolution were contending had caused the secession of southern States and resulted in the Civil War. The logic of repealing all laws under which Federal aid was being received, if the resolution were passed, was pointed out. It would mean discontinuing not only the Federal aid for highway construction, but that for vocational education and the county agent system as well. Moreover, the legislature could not then logically accept aid from the United States government for maternity and child welfare under the Sheppard-Towner Act, the acceptance of which was pending at the time in the Fortieth General Assembly. The resolution was defeated by a vote of twenty-seven to seventy-five.<sup>243</sup>

Although the resolution was defeated, the Fortieth General Assembly did not amend the Iowa primary road law so as to make it conform to the requirements for aid from congressional appropriations. Hearings were held before joint sessions of the House and Senate Roads and Highways Committees. Members of the State Highway Commission, as well as the Secretary of Agriculture, Henry C. Wallace, were called in to explain the effects of the law and to give information on the subject in general. Moreover, a subcommittee of seven members of the House Committee on Roads and Highways was appointed to draft committee bills embracing the recommendations of the State Highway Commission. On February 23rd, however, Representative J. C. McClune presented a bill proposing to coördinate the primary road law of Iowa with the requirements of the Federal Aid Road Act. No action had been taken on this measure by April 10th and it was then withdrawn by its

<sup>243</sup> *House Journal*, 1923, pp. 377, 378; *The Des Moines Register*, February 3, 1923.

author. Since in any event Iowa will not lose Federal aid for highway construction until 1926, the legislature will have two more opportunities to change the law and provide for its continuance if it sees fit to do so — one during the special session of the Fortieth General Assembly and the other in 1925 when the Forty-first General Assembly convenes.<sup>244</sup>

A number of bills to reorganize the State Highway Commission and the system of road administration in general were also introduced. Representative William C. Children of Pottawattamie County presented a measure looking toward the appointment by the Governor of a State Commissioner of Highways for a term of four years. His office was to be at Des Moines and he was to be the head of a Highway Department composed of all the boards of supervisors in Iowa. This bill was apparently designed to comply with the Federal requirement of State maintenance of highways without abandoning county control. Representative Children also proposed to divide the roads in Iowa into three systems — State, county, and township. A bill introduced by Senator A. J. Shinn also proposed the creation of a State Highway Department to be headed by one man appointed by the Governor for a four year term. He in turn was to appoint the heads of four divisions into which the Department would be divided, namely, division of highway construction, division of bridge and culvert construction, division of maintenance, and division of auditing. The House measures were withdrawn on April 10th and the Senate bill was lost in the Senate Sifting Committee.<sup>245</sup>

<sup>244</sup> House File No. 570; *House Journal*, 1923, pp. 689, 1586; *The Des Moines Register*, February 2, 20, March 17, 1923.

<sup>245</sup> Senate File No. 648; House File Nos. 590, 591; *House Journal*, 1923, p. 1586.

Although the request of the State Highway Commission that the primary road law be amended so as to conform to the Federal aid statute was not acted upon favorably by the Fortieth General Assembly a number of the Commission's recommendations were accepted, and several additional measures not mentioned in its recommendations also became part of the law.

In 1886 the Twenty-first General Assembly authorized county boards of supervisors to alter or establish highways along river banks in order to avoid expensive bridge construction. The supervisors were also given power to appoint a board of three appraisers to assess damages due landowners occasioned by the establishment or change of the road. The power to appoint these appraisers was partially taken from the supervisors in 1923. According to the law as amended by the Fortieth General Assembly the board, if unable to agree with the landowners as to the amount of damages, appoints only one appraiser, the landowners appoint another, and these two appraisers select a third. Similar provisions were made for the appointment of appraisers in case the change in the highway is made for the purpose of increasing the safety and convenience of travel or for economy in road building. In this instance the appraisers were formerly appointed by the county auditor. At present the law also provides, in both of these cases, that if the owners fail to appoint an appraiser the duty to do so devolves upon the board of supervisors.<sup>246</sup>

Several changes were made in the law relative to the expenditure of the primary road funds. It will be remembered that the State Highway Commission recommended the discontinuance of special assessments for paving benefits. This was not done, but the amount of the cost of

<sup>246</sup> *Acts of the Fortieth General Assembly*, Chs. 80, 81.

paving primary roads which may be paid out of primary road funds, where the work is being done without a bond issue, was increased from seventy-five per cent to eighty-seven and one-half per cent. Thus only twelve and one-half per cent, instead of twenty-five per cent, of the cost of hard surfacing will be assessed against abutting lands. Not only was the proportion of the cost of hard surfacing to be borne by adjacent property reduced but the amount of assessment may not represent more than two per cent of the market value of the land. Formerly this was four per cent. Moreover, provision was made that where twenty-five per cent of the cost of paving a primary road had been assessed against property since 1919, one-half of that amount must be refunded. Money for this purpose is to be taken from the primary road fund or from the proceeds of bond sales. No interest is to be allowed and the board of supervisors may determine whether to pay the refund in one payment or in not to exceed ten annual installments. A clause relative to serving notice of assessments for paving benefits was added to the law. It provides specifically that a published notice of hearing on such assessments constitutes service of notice upon all persons owning property against which the assessments are levied.<sup>247</sup>

Primary road funds may now be used to purchase the right of way as well as for draining, grading, or surfacing highways. In counties where right of way has been purchased since 1919 with money from other funds, the board of supervisors is authorized to transfer from the primary road fund the amount spent for the right of way to the fund from which it was taken. In accordance with this provision, acquiring a right of way was included with grading and drainage, making the first of the three options for which

<sup>247</sup> *Acts of the Fortieth General Assembly*, Chs. 85, 86.

the county may elect to spend its share of the primary road funds.<sup>248</sup>

According to a law passed by the Thirty-eighth General Assembly the board of supervisors was to recommend lateral highways for addition to the primary road system after all primary roads in the county were fully improved. It then became the duty of the State Highway Commission to declare these highways part of the primary system. This having been done the county board was authorized to use the primary road fund for the improvement of the added roads by paving or gravelling just as in the case of the other highways in the primary system. This section of the law was repealed and another substituted. According to the present law, after the primary roads are fully improved the State Highway Commission must appropriate a sufficient amount from a county's allotment of primary road funds to pay for the maintenance of the whole primary system and to meet the principal and interest due on outstanding certificates and bonds that have been issued for its improvement. The balance of the allotment may be used to drain, grade, or gravel such secondary roads as are "laterals" or "feeders" to primary roads. In such projects the boards of supervisors must follow the same procedure as for primary road improvements. Surveys and plans are to be made by the county engineer and must be approved by the State Highway Commission. The county engineer also supervises the construction work, while the State Highway Commission inspects the project and may refuse to allow claims for work that is not done according to contract. A county board may, however, elect to spend the surplus of its primary road fund for any year on the primary roads.<sup>249</sup>

<sup>248</sup> *Acts of the Fortieth General Assembly*, Ch. 84.

<sup>249</sup> *Acts of the Fortieth General Assembly*, Ch. 89.



Although this new law does not make a very great change in the manner of improving highways it will make considerable difference in the method of road maintenance. Primary roads are all maintained under the direction of the county board of supervisors, and the maintenance of county roads in the secondary system is also entrusted to that body; but the maintenance of township roads in the secondary system is entrusted to the township trustees. Thus there is likely to be a division of authority in maintaining improved secondary roads which would not occur if these were added to the primary system as under the old law. Although power to add secondary roads to the primary system has been taken from the State Highway Commission, that body may now designate as primary roads the highways which will make cities and towns more accessible. It has had this power to increase the accessibility of parks and recreation centers since 1919.<sup>250</sup> These roads are then maintained by the county boards of supervisors.

The State Highway Commission is housed in buildings which belong to the College of Agriculture and Mechanic Arts. Since the enrollment of students at this institution has become so large as to demand all available space, the State Highway Commission has been authorized to expend for construction of office buildings not over \$125,000 from the surplus remaining in its maintenance fund at the close of the biennial periods ending in December, 1923, and December, 1925. The rooms now occupied by the Commission are to be vacated as rapidly as the construction of new buildings will permit in order that the space may become available for offices and laboratories of the engineering department. Not over \$50,000 may be expended in any one year and none until after land for the purpose has been acquired without expense to the State. The State Highway

<sup>250</sup> *Acts of the Fortieth General Assembly*, Ch. 83.

Commission was authorized to accept a suitable site for this purpose if donated by the city of Ames.<sup>251</sup>

When the government of the United States began the distribution of surplus war equipment in 1919 it became necessary to have suitable facilities for storage and repair of the equipment donated. Accordingly, the State Highway Commission leased a tract of land containing about eighteen acres and favorably located with respect to railroads and highways. The rent is \$600 annually and the lease will expire in 1926. The Commission, however, has the option of purchasing this land for \$12,000. In view of the fact that eight large hollow tile sheds, representing an investment of \$75,000, have been constructed on this land, the State Highway Commission was authorized to expend a sum not greater than the option price for the purchase of the area.<sup>252</sup>

With a view to increasing the safety of motor vehicle traffic on highways the State Highway Commission and boards of supervisors in Iowa have been given authority to order the removal of billboards where the view of any portion of the highway or railroad track is obstructed by their presence. The order for removal may be issued to the owner of the property upon which the sign is erected or to the person responsible for its existence. If the billboard is not removed within ten days after the order has been received the board of supervisors or the Highway Commission may remove it and pay the expense out of the primary road fund or county road fund according to whether the sign was located along a primary or secondary road. The costs are then recoverable in an action against the party refusing to remove the billboard. The negligent person is

<sup>251</sup> *Acts of the Fortieth General Assembly*, Ch. 328.

<sup>252</sup> *Acts of the Fortieth General Assembly*, Ch. 329; *House Journal*, 1923, p. 269.

also declared to be guilty of misdemeanor and may be fined any sum between \$5 and \$25.<sup>253</sup>

Finally the Fortieth General Assembly repealed the standard "draft sleigh" act passed by the Thirty-ninth General Assembly in 1921. It provided that every new bob-sled or "draft sleigh" sold in Iowa should have its opposite runners four feet and eight inches apart.<sup>254</sup>

#### MOTOR VEHICLES

The most important law relative to motor vehicles enacted by the Fortieth General Assembly is the act regulating motor vehicle passenger and freight carrier lines,<sup>255</sup> introduced jointly by Senators B. W. Newberry and J. E. Wichman. Motor carriers are now required to secure from the Railroad Commission a certificate permitting them to operate, but this does not include any motor vehicles engaged in the transportation of live stock or farm products from the place of production to market. This certificate may be granted after the carrier has filed an application setting forth the proposed route, the schedule, and the property to be used in its operation, provided the Commission decides, after a hearing, that the proposed bus line will serve the public convenience. The carrier must also file a liability insurance bond to cover damages that may result to persons or property through the operation of the carrier. The Commission is required to grant the certificate to a carrier which was in operation prior to April 14, 1923. Appeals from decisions may be taken to the district court.

In addition to the regular license fees for automobiles and trucks every motor carrier is required to pay a tax of

<sup>253</sup> *Acts of the Fortieth General Assembly*, Ch. 91.

<sup>254</sup> *Acts of the Fortieth General Assembly*, Ch. 92.

<sup>255</sup> *Acts of the Fortieth General Assembly*, Ch. 97.

one-eighth cent per ton mile for each vehicle equipped with pneumatic tires and one-fourth cent per ton mile for each vehicle equipped with hard-rubber or solid tires. The ton mile is computed on the basis of distance travelled and the maximum carrying capacity of the bus, truck, or trailer. Motor carriers are required to keep and preserve for five years daily records of schedules maintained and to certify to the Commission, before the tenth day of each month, the number of miles which each of its vehicles has travelled as well as its capacity and a statement of the equipment that has been inactive during the preceding month. The amount of taxes to be paid by each carrier is calculated by the Railroad Commission and certified to the various county treasurers concerned. Taxes are payable to the county treasurer on or before the fifteenth day of each month. Provision is made for inspection of records kept by the carriers, and the revenue to be derived from these taxes is to be used for the improvement and maintenance of the roads and streets over which carriers operate.

Cities and towns are given authority to designate streets to be used by motor carriers and to adopt general rules of operation. Although the act contains a number of safety rules and regulations prescribing the qualifications for drivers, limiting the speed at which the vehicles may travel, and other related matters, the Railroad Commission is given authority to prescribe additional rules. Certificates may be revoked for violation of the motor carrier regulation act or the rules of the Railroad Commission. An appropriation of \$10,000 annually was made for the purpose of administering the law.<sup>256</sup>

All the other acts passed in 1923 relative to motor vehicles are amendatory to previously enacted statutes on

<sup>256</sup> *Acts of the Fortieth General Assembly, Ch. 305.*

that subject. The amount of the license fee to be paid by automobile owners will no longer be based upon the retail price of the vehicle when new, but rather upon its current factory price. Manufacturers are required to keep the Motor Vehicle Department informed as to changes in the prices of their automobiles, and the Department in turn notifies the various county treasurers who must use the new quotations in computing the license fees to be paid.<sup>257</sup>

According to another provision enacted by the Fortieth General Assembly the Motor Vehicle Department is authorized to refund one-half of the license fee paid on a car which, during the first six months of the period for which the car was registered, has been stolen, sold for continuous use outside of Iowa, or accidentally destroyed. The refund will be made by the Department on the first of January following certification by the county treasurer of such loss, theft, or sale.<sup>258</sup>

The fee for publishing delinquent motor vehicle tax lists was increased from fifty cents to two dollars, and it was made unlawful to wilfully deface an automobile license plate, just as it has been unlawful to deface the serial or assembling number of the engine or the registration number of the vehicle.<sup>259</sup>

A bill introduced by Senator O. L. Mead of Butler County provided for issuing automobile license plates which could be used for five years. These plates would be made so as to permit the bolting of the insert year numbers to the plate proper. It was variously estimated that the adoption of such a system would result in an annual saving from \$50,000 to \$150,000 to the State. Although the measure passed the

<sup>257</sup> *Acts of the Fortieth General Assembly*, Ch. 93.

<sup>258</sup> *Acts of the Fortieth General Assembly*, Ch. 94.

<sup>259</sup> *Acts of the Fortieth General Assembly*, Ch. 95.

Senate with only one dissenting vote it was lost in the House Sifting Committee.<sup>260</sup>

The operating of an automobile by anyone while in a state of intoxication was made a penitentiary offense and is now punishable by imprisonment in the State penitentiary for as long as one year or by a fine of not more than \$1000 or both. Prior to 1923 this offense was only a misdemeanor punishable by imprisonment for not over one year in the county jail or a fine of not to exceed \$500 or both.<sup>261</sup> Under the new law it is a felony.

The toll of automobile accidents is steadily mounting, and that fact was reflected in the General Assembly by the introduction of bills calculated to compel drivers of automobiles to exercise more care. One measure provided that every person driving an automobile should obtain a license, good for a lifetime unless forfeited by reckless driving. Senator J. O. Shaff pointed out that fines were no deterrent to the wealthy. Moreover, it is practically impossible to punish a reckless driver until he has injured someone in an accident. Only four Senators could be mustered to vote for the bill. Another bill proposed the filing of a surety bond of \$500 by every automobile owner to cover judgments for damages recovered on account of the death or injury of any one caused by the operation of the machine. This measure was indefinitely postponed. Several bills sought to promote safety at railroad crossings by requiring motor vehicles to slow down to ten miles an hour, by requiring them to stop before crossing, by requiring the railroad companies to maintain electric signs and gongs at crossings, by erecting white and red crossing signs on a mound in the middle of the highway, and by eliminating dangerous crossings.

<sup>260</sup> Senate File No. 514; *Senate Journal*, 1923, p. 1317.

<sup>261</sup> *Acts of the Fortieth General Assembly*, Ch. 96.

None of these proposals appear to have received serious consideration.<sup>262</sup>

#### RAILROADS

An act which permits a long line carrier to meet the rate of its short line competitor between two cities, after authorization by the Railroad Commission, is among the most important acts passed by the Fortieth General Assembly. In fact two measures permitting this practice were passed, but the first of these was vetoed by Governor Kendall because it did not sufficiently protect small shippers in that it repealed certain provisions of a time-honored law which prohibited unjust discrimination between large and small shippers. Moreover, the Governor deemed the measure objectionable because it contained no stipulation that the rate for the longer distance between the two shipping points should be compensatory for the service rendered. "It is evident", said he, "that if the lower rate allowed shippers at a competitive point is less than compensatory a loss is sustained by the carrier in the traffic transported, and it is equally evident that such loss must be recouped by an additional levy upon shippers elsewhere on the system."<sup>263</sup>

A bill without these objectionable features was introduced by the Committee on Railroads in the House of Representatives on April 9th. It passed the lower chamber on April 14th and was favorably acted upon by the Senate two days later. Executive approval was given on April 21st. As a result, the State Railroad Commission has been vested with power to authorize a less charge for a longer than for

<sup>262</sup> Senate File Nos. 391, 425, 676; House File Nos. 347, 556, 606; *Senate Journal*, 1923, p. 1053; *House Journal*, 1923, p. 1358; *The Des Moines Register*, March 27, 1923.

<sup>263</sup> House File No. 285; *House Journal*, 1923, pp. 1425-1430.

a shorter haul between two shipping points in Iowa, but the rate authorized must be compensatory for the service performed. The Interstate Commerce Commission has been given similar power over interstate commerce by an act of Congress. The enactment of this measure marks the culmination of a number of attempts to change this provision in the old "Larrabee Law", as it is known, since its passage in 1888. Governor Cummins, in 1906, vetoed a measure similar to the one vetoed by Governor Kendall. The large majorities by which the law passed in 1923 is evidence of the change in sentiment that has taken place on the subject since Governor Larrabee's famous railroad legislation was enacted. The willingness to amend the law in this particular, however, is clearly attributable to the shortage of cars which has worked a hardship on shippers, who in many instances were forced to use the longer routes and consequently pay additional freight charges.<sup>264</sup>

The law relating to the publication of rate schedules by common carriers and the powers and duties of the Railroad Commission was made more detailed and specific, and some additional powers were granted to the Commission. It may require railroads to specifically include terminal, storage, and icing charges as well as other matters in the published schedules. Moreover, the Commission may also conduct hearings as to the propriety of proposed rates. Instead of being composed of one long section, these provisions are now contained in fourteen sections of the law.<sup>265</sup>

Three acts were passed for the purpose of investigating certain practices and property valuations of common carriers. The Thirty-seventh General Assembly directed the

<sup>264</sup> *Senate Journal*, 1923, pp. 1597-1599; *House Journal*, 1923, pp. 1543, 1739, 1740; *Acts of the Fortieth General Assembly*, Ch. 161; *The Des Moines Register*, March 15, 1923.

<sup>265</sup> *Acts of the Fortieth General Assembly*, Ch. 162.



Governor to investigate the valuations put upon railroad property in Iowa by the Interstate Commerce Commission. An appropriation of \$40,000 was made for that purpose. At the instigation of the Chief Executive this duty was transferred to the Railroad Commission in 1921. The railroads, particularly the Rock Island Company, are contesting the evaluations of the Interstate Commerce Commission and the 1917 appropriation was spent to represent the interests of Iowa in the contest. In his message the Governor pointed out the importance of having sufficient and accurate evaluations assigned to the railroad property in Iowa because the data secured by the Interstate Commerce Commission would be used by the Executive Council as a basis for the assessment of railway property for taxation. He therefore requested the legislature to make a sufficient appropriation to carry on the work. Accordingly the sum of \$6666.67 was appropriated to be used for the purpose until July 1, 1923, and \$20,000 annually was made available for the next two years.<sup>266</sup>

An annual appropriation of \$30,000 was made by the Thirty-ninth General Assembly to enable the Railroad Commission to prepare and submit cases involving rates or services affecting Iowa, to investigate and determine cases within its jurisdiction, and to defray the general expenses of the Commission. This appropriation was reduced to \$25,000 annually.<sup>267</sup>

The Governor and the Attorney General were constituted a committee to investigate and to take action for the protection of the people of Iowa against the steel-trade practice commonly known as "Pittsburgh Plus", and other similar

<sup>266</sup> *House Journal*, 1923, pp. 32, 33; *Acts of the Fortieth General Assembly*, Ch. 318.

<sup>267</sup> *Acts of the Fortieth General Assembly*, Ch. 160.

practices. An appropriation of \$10,000 was made to carry on the work.<sup>268</sup>

In 1921 the legislature appropriated \$5000 annually for the ensuing two years for the purpose of coöperating with other States in the Great Lakes-St. Lawrence Tide Water Association to encourage the movement for the construction of a waterway that would make it possible to transport the products of the Mississippi Valley States to the ocean by way of the Great Lakes and the St. Lawrence River. A similar act appropriating the same sum for the years 1923 and 1924 was passed by the Fortieth General Assembly.<sup>269</sup>

#### BUSINESS, TRADE, AND COMMERCE

Practically all the acts relative to business, trade, and commerce enacted by the Fortieth General Assembly are technical amendments to former laws on that subject. The definition of "stocks, bonds, and other securities", adopted in 1921 for the purpose of regulating their sale by investment companies, was extended so as to include interest in or liens upon estates, shares of participation, and Common Law trust agreements.<sup>270</sup>

The law relative to the bond which stock brokers or dealers must give before a certificate authorizing them to carry on their business will be issued by the Secretary of State was revised. The sum of the bond, \$5000, was not changed, and it must still be approved by the Executive Council and filed with the Secretary of State; but changes were made in the clauses stating the conditions of forfeiture and liability under the bond. Action upon the bond may now be brought in the county where the plaintiff resides, in any

<sup>268</sup> *Acts of the Fortieth General Assembly*, Ch. 163.

<sup>269</sup> *Acts of the Fortieth General Assembly*, Ch. 291.

<sup>270</sup> *Acts of the Fortieth General Assembly*, Ch. 167.

county where the defendants may be sued, or in any county in the State where the transactions to which the case relates transpired.<sup>271</sup>

A bill, introduced by Senator T. C. Cessna, proposed to repeal the small loan act, passed by the Thirty-ninth General Assembly, according to the provisions of which all loan companies and alleged loan sharks were put under the supervision of the Superintendent of Banking. This law when passed was sponsored by the Russell Sage Foundation and was backed by social workers, the Iowa State Federation of Labor, and numerous public welfare organizations. It is in force in about twenty States and is intended to eliminate the loan shark, thus saving small borrowers thousands of dollars in interest. Senator Cessna felt, however, that the interest rate of three and one-half per cent a month was too high. The measure was never acted upon by the Senate and the small loan law still stands.<sup>272</sup>

The law requiring coöperative associations to file an annual report with the Secretary of State was made more specific. According to the amendment passed in 1923 the report must relate to the fiscal year or the calendar year preceding the first of March when the report is due. The penalty for failure to file the report on the required date was fixed at ten dollars, instead of ten dollars for each month or part of a month that the report was delinquent.<sup>273</sup>

The annual appropriation to defray expenses of the oil inspection department was reduced from \$20,000 to \$17,500.<sup>274</sup>

A number of important measures relating to the regulation

<sup>271</sup> *Acts of the Fortieth General Assembly*, Ch. 168.

<sup>272</sup> Senate File No. 413; *The Northwestern Banker*, May, 1923.

<sup>273</sup> *Acts of the Fortieth General Assembly*, Ch. 166.

<sup>274</sup> *Acts of the Fortieth General Assembly*, Ch. 19.

of telephone companies were considered by the Fortieth General Assembly. In his biennial message to the legislature, Governor Kendall called attention to the fact that no control over telephone companies was exercised by any governmental agency. He pointed out that cities and towns have authority to regulate rates charged by other public utilities and recommended that this power be extended so as to apply also to telephone companies. He pointed out that the "temptation to impose unreasonable rates is always present and sometimes irresistible" in the absence of regulation, and that there were many complaints that telephone companies were charging exorbitant fees for services.<sup>275</sup>

Accordingly a number of bills were introduced, two of which were considered in the House of Representatives. A bill introduced by Representatives W. E. G. Saunders of Palo Alto County and C. F. Clark of Linn County proposed to vest control over telephone companies in the Railroad Commission; and another, sponsored by Representative Frank C. Lake of Woodbury County, would give cities and towns control over this type of public utility. The former was substituted for the Lake bill and when put to a vote it failed to pass the House.<sup>276</sup>

No less than four measures were introduced in the upper house. Senator M. L. Bowman of Black Hawk County introduced two measures proposing to give cities and towns control over telephone rates. One of these, a companion bill to the measure introduced in the House by Representative Lake, was ordered to the foot of the calendar on March 30th and was finally lost in the Sifting Committee. The second bill introduced by Senator Bowman and another introduced by Senator J. D. Buser of Muscatine County, proposing to

<sup>275</sup> *House Journal*, 1923, p. 35.

<sup>276</sup> House File Nos. 418, 623; *House Journal*, 1923, p. 1204.

vest control over telephone companies in city and town councils, county boards of supervisors, and the Railroad Commission, were lost because they failed to receive the necessary number of votes when put on final passage. A measure introduced by Senator E. H. Campbell proposing to regulate telephone companies through the Railroad Commission met a similar fate. As a result telephone companies operating in Iowa are still without legal regulation.<sup>277</sup>

Although the Governor did not mention the conservation of water power sites in his biennial message, he called the attention of the legislature to the problem on March 8th in his first special message to the General Assembly. In this communication he recommended the passage of a law giving the Executive Council exclusive authority to permit the location of plants for the generation of hydro-electric energy; to limit the permit so issued to a reasonable duration of time; and to prescribe the conditions and terms upon which the grant allowed by the permit might be enjoyed. This recommendation on the part of the Governor was in strict accord with his action in 1921 when he vetoed the Springer Public Utilities Commission bill because it contained perpetual franchise grants. A bill, drafted on the plan outlined by the Governor, was introduced in the House of Representatives by the Committee on Conservation. In spite of the fact that the measure passed the lower chamber by a considerable majority, it was lost in the Senate Sifting Committee. The inaction of the Senate was perhaps due to the fact that the bill was not received in that chamber until April 16th, the day before the date set for the final adjournment of the Fortieth General Assembly.<sup>278</sup>

<sup>277</sup> Senate File Nos. 266, 412, 436, 552; *Senate Journal*, 1923, pp. 1152, 1337-1340.

<sup>278</sup> House File No. 820; *Senate Journal*, 1923, p. 1608; *House Journal*, 1923, pp. 771, 1807-1809; *The Des Moines Register*, March 9, 1923.

## CORPORATIONS

One of the three general measures relating to corporations passed in 1923 legalizes acts of corporations. The Thirty-sixth General Assembly legalized the renewal of a corporation organized for pecuniary profit if properly made prior to February 1, 1915, even though the certificate setting forth the proceedings and the certificate of incorporation had not been filed in the offices of the Secretary of State and the county recorder within the time fixed by law, if the papers had been properly filed at a later date. This act was amended by the Fortieth General Assembly so as to apply to all renewals made prior to July 1, 1923.<sup>279</sup>

Notices of incorporation should be published within three months after the certificate of incorporation has been issued by the Secretary of State. Sometimes this is not done within the prescribed time; and so the Fortieth General Assembly passed a law validating all acts of corporations performed after the delayed publication of such notice.<sup>280</sup>

The Fortieth General Assembly also repealed the provision that only officers of a corporation are required to sign articles of dissolution when a corporation is dissolved by unanimous consent prior to the expiration of the articles of incorporation. Inasmuch as "articles of dissolution" are not mentioned elsewhere in the statutes this requirement seemed unnecessary. A number of additional acts passed in 1923 relate to particular kinds of corporations. Such laws are reviewed under their various subjects.<sup>281</sup>

## BANKS AND BANKING

One of the most puzzling problems of legislation affect-

<sup>279</sup> *Acts of the Fortieth General Assembly*, Ch. 196.

<sup>280</sup> *Acts of the Fortieth General Assembly*, Ch. 164.

<sup>281</sup> *Acts of the Fortieth General Assembly*, Ch. 165.

ing banks is that of devising an equitable method of taxation. In Iowa, banks are taxed on twenty per cent of their capital and surplus; while real estate is taxed on one-fourth of its assessed value; and moneys and credits are taxed only five mills on the dollar. Thus banks are taxed at a higher rate than other property. This matter gained special prominence on account of a decision of the United States Supreme Court in 1921 to the effect that bank capital should not be taxed differently than other capital similarly employed. Congress having amended the Federal statute to conform to this decision in March, 1923, the Iowa Senate Committee on Ways and Means introduced a bill increasing the moneys and credits tax to seven mills and proposing to tax banks, investment companies, building and loan associations, mortgage companies, and other corporations doing a similar business on twenty per cent of their dividends if incorporated, and twenty per cent of their net income if unincorporated (private banks). The Senate, however, substituted for the proposed income tax, a bill introduced by Senator C. M. Dutcher which was designed to tax all moneyed capital in the same relative ratio as real estate. After considerable debate further action was deferred until the special session of the General Assembly to meet in December, 1923.<sup>282</sup>

An act drafted by the Iowa Bankers Association and characterized as "one of the most constructive pieces of legislation passed in years" makes the Superintendent of Banking the receiver for all insolvent banks, upon appointment by the district court. He is to serve without additional compensation, and the office of the Attorney General is to furnish counsel. This change will tend to conserve the assets of insolvent banks for the benefit of depositors and will

<sup>282</sup> Senate File No. 713; *Senate Journal*, 1923, pp. 1506-1512, 1593, 1594; *Iowa Bankers Association Bulletin*, No. 1403.

eliminate the appointment of receivers who are poorly qualified for handling such problems.<sup>283</sup>

The new bank receiver law was approved on March 20th and would have gone into effect on July 4th; but on April 5th a joint resolution ordering the Secretary of State to publish the act was introduced and after having passed the Assembly was approved on April 11th. This resolution was calculated to cause the original act to take effect as soon as published. Afterwards it was discovered that the joint resolution contained no publication clause and hence would not take effect until the 4th of July. Consequently, on April 17th a bill amending the bank receiver act by adding a publication clause and providing for its own publication was introduced and passed by the Assembly.<sup>284</sup>

Another act of the Fortieth General Assembly amendatory to the section of the Code relating to bank receiver-ships adds the provision that the district court may examine any person suspected of having taken wrongful possession of any of the effects of an insolvent bank and, if the suspicion appears well founded, the court may order the delivery of such effects to the receiver. Failure to comply with any order of the court makes the person liable to commitment to the county jail until he does.<sup>285</sup>

Bank examination fees were increased from two to three cents per \$1000 of assets in excess of \$25,000 because it was found that the former amount was insufficient to cover the expense of examining banks in the larger cities.<sup>286</sup>

An amendment to the Federal banking law reduced the

<sup>283</sup> *Acts of the Fortieth General Assembly*, Ch. 189; *The Northwestern Banker*, May, 1923.

<sup>284</sup> *Acts of the Fortieth General Assembly*, Chs. 190, 389.

<sup>285</sup> *Acts of the Fortieth General Assembly*, Ch. 188.

<sup>286</sup> *Acts of the Fortieth General Assembly*, Ch. 185; *The Northwestern Banker*, May, 1923.



number of calls for published reports from national banks from a minimum of five to three annually. For that reason an act proposed by the Iowa Bankers Association brings the State law respecting the number of published reports which the Superintendent of Banking may require from savings or State banks into conformity with the Federal law relating to national banks. Most of the States do not require over four calls in a year.<sup>287</sup>

Finally, a measure sanctioned by the Iowa Bankers Association requires that all State and savings banks must build up a surplus equal to twenty per cent of their capital stock by setting aside ten per cent of the net profits before a dividend is declared, and no dividend in excess of eight per cent can be paid until the twenty per cent surplus is established. This law makes the surplus requirement uniform with that of national banks.<sup>288</sup>

Banking experts are generally agreed that Iowa is blessed with too many banks, yet a bill introduced by the House Committee on Agriculture proposed the establishment of coöperative banks. This was one of the recommendations of the commission appointed by the Governor to investigate rural credit conditions. The organization of banks on the coöperative plan was supported by the Farm Bureau Federation and the Iowa Farm Credit Corporation. The measure failed once to pass the House, but on reconsideration it carried by a vote of sixty-two to thirty-four, only to die in the Senate Sifting Committee.<sup>289</sup>

A bill to place all private banks under the supervision of the State Superintendent of Banking was indefinitely post-

<sup>287</sup> *Acts of the Fortieth General Assembly*, Ch. 187.

<sup>288</sup> *Acts of the Fortieth General Assembly*, Ch. 186.

<sup>289</sup> House File No. 790; *Senate Journal*, 1923, p. 1428; *House Journal*, 1923, pp. 1598, 1600.

poned by the Senate. Senator J. L. Brookhart wanted to reduce the maximum legal rate of interest from eight to seven per cent but his bill was also indefinitely postponed.<sup>290</sup>

#### INSURANCE

The most general law relative to insurance passed by the Fortieth General Assembly provides that domestic insurance societies which limit their membership to a particular city or town or to the employees of a designated business institution are exempt from the law governing insurance companies unless specifically mentioned. The Commissioner of Insurance, however, may require information which will enable him to determine whether or not a society is entitled to the exemption.<sup>291</sup> Several other laws enacted in 1923 relate to particular kinds of insurance organizations.

*Assessment Life Insurance Associations.*—Prior to 1923 assessment life insurance associations were permitted to issue certificates of membership only to persons between the ages of fifteen and sixty-five years and then only if the beneficiary were the wife, husband, relative, heir, legal representative, creditor, or legatee of the insured member. Moreover, such certificates could not be assigned. The insured person was given the privilege of changing the beneficiary at any time in accordance with the rules of the association, but no certificate issued to benefit a wife or children might be changed in favor of a creditor. These provisions were made inapplicable to certificates issued by assessment life insurance associations after July 4, 1923. The effect of this act is to permit members of such associations to select any person as beneficiary hereafter. The

<sup>290</sup> Senate File Nos. 352, 650; *Senate Journal*, 1923, pp. 495, 1264.

<sup>291</sup> *Acts of the Fortieth General Assembly*, Ch. 170.

law requiring such associations to state in their articles of incorporation, by-laws, and notices of assessments the objects to which money collected is to be devoted was changed so as to require this statement to appear only in the articles of incorporation and by-laws. Furthermore, organizations of this character, except fraternal beneficiary societies, have been given authority to establish a separate class of members or policy holders to whom they will issue policies on the legal reserve or level premium plan.<sup>292</sup>

*Insurance other than Life.*—A large number of rather technical changes were made in the law relative to companies engaged in forms of insurance other than life. The annual statement made by such companies to the Commissioner of Insurance is now due before the first of March instead of any time during the month of January. The Commissioner of Insurance issues a certificate to each of these companies every year and this authorizes them to conduct business in Iowa. The date when these certificates expire was changed from the first of March to the first of April. Accordingly, the certificates and agents' licenses expiring on March 1, 1924, were extended to April 1st of that year.<sup>293</sup>

The law providing that directors of insurance companies other than life be elected at the annual meeting held in January was modified so as to permit a company to divide its board of directors into classes holding terms of office not exceeding three years and that only the members of one class be elected each year.<sup>294</sup>

The provision which limited the maximum amount of

<sup>292</sup> *Acts of the Fortieth General Assembly*, Ch. 171.

<sup>293</sup> *Acts of the Fortieth General Assembly*, Ch. 176.

<sup>294</sup> *Acts of the Fortieth General Assembly*, Ch. 174.

capital with which an insurance company issuing forms of insurance other than life could be incorporated to one million dollars was repealed, but the minimum amount of fifty thousand dollars necessary for incorporation was left unchanged. Moreover, Federal farm loan bonds were added to the list of securities in which the funds of these companies may be invested.<sup>295</sup>

A number of provisions relative to the types of loss for which these companies may sell insurance were amended. In addition to insurance authority previously granted they may now insure property against loss occasioned by flood, rain, earthquake, hail, frost or snow, drought, "rising of the waters of the ocean or its tributaries", bombardment, invasion, riot, civil war or commotion, military or usurped power, explosion; crops against loss by insects or disease; landowners against loss of rental value of land; persons and property against the explosion or rupture of pipes, flywheels, engines, and machinery; and persons against the loss of property caused by larceny. Airplanes, seaplanes, dirigibles, and other craft were added to the class of property that may be insured; while vandalism, malicious mischief, wrongful conversion, disposal, or concealment of automobiles, whether held under conditional sale, contract, or subject to chattel mortgages, were added to the contingencies against which the property in this class may be insured. The provision prohibiting issuance of policies by mutual insurance companies against burglary and robbery to any person, firm, or corporation other than banks, bankers, loan companies, trust companies, and county treasurers was repealed. Now such a company may insure any person or corporation against burglary, robbery, and larceny.<sup>296</sup>

<sup>295</sup> *Acts of the Fortieth General Assembly*, Chs. 173, 175.

<sup>296</sup> *Acts of the Fortieth General Assembly*, Ch. 177.

Fidelity and surety companies may now expose themselves on any one risk or hazard to any amount up to ten per cent of their surplus as well as their paid-up capital. Domestic or foreign insurance companies possessed of five hundred thousand dollars worth of paid-up capital stock and authorized to go bond for persons holding positions of public or private trust, may also sell credit insurance to merchants or traders against loss from bad debts.<sup>297</sup>

The law relative to conditions under which coinsurance clauses in a policy will be considered valid was rewritten. Only a few minor changes were made, however. The amount of insurance that must be maintained and the amount of damages for which the company will be liable if it is not maintained must now be stated in the coinsurance rider only in terms of percentage of the value of the insured property at the time when the loss was incurred. Formerly this liability had to be stated also in terms of a portion of a previously determined sum of money. The kind of insurance specified in the policy must be maintained in order to make the coinsurance clause applicable. Moreover, the provision stating that coinsurance clauses could not apply to any risk where the total value of the property is less than twenty-five thousand dollars except grain elevators and their contents was repealed. Finally, a provision was added to the effect that the rider and request for coinsurance shall now be permitted when used in connection with insurance contracts issued in Iowa against the hazards of lightning, tornadoes, cyclones, windstorms, and sprinkler leakage, as well as fire.<sup>298</sup>

Companies which insure employers against loss by accidents to employees must maintain separate reserves to meet

<sup>297</sup> *Acts of the Fortieth General Assembly*, Ch. 179.

<sup>298</sup> *Acts of the Fortieth General Assembly*, Ch. 180.

losses arising under various classes of liability policies. The amount of each reserve has been fixed in the statute. Provision is also made for the distribution of unallocated liability loss expense funds. Moreover, each insurer writing liability or compensation policies must make an annual report of his experience to the Insurance Commissioner.<sup>299</sup>

*Mutual Assessment Associations.*—Four amendments were made to the act passed by the Thirty-ninth General Assembly rewriting the law on mutual assessment associations. One of these provides that associations using a basis rate whose risks consist chiefly of store buildings and stocks, factories, moving picture houses, and stocks of implements and automobiles must at all times maintain net assets equal to forty per cent of one annual assessment of policies in force, less deductions for reinsurance in authorized companies. Another amendment allows dividends returned to policy holders on property situated within the State to be deducted when computing the amount of gross receipts of which one per cent must be paid to the Commissioner of Insurance. Moreover, hail insurance associations have been given authority to provide in their by-laws and policies for a limited assessment in any year. If the proceeds of such assessments and other funds on hand do not equal the losses and expenses for the year, then the available funds after expenses have been deducted must be prorated among holders of the loss claims. The sums thus given constitute full payment for the loss. According to the law as passed by the Thirty-ninth General Assembly, mutual assessment associations were to elect officers according to the manner prescribed in their articles of incorporation or by-laws. This was changed so as to make the

<sup>299</sup> *Acts of the Fortieth General Assembly*, Ch. 178.

provision apply to directors as well as officers. The fourth amendment substituted "theft of personal property" for theft of automobiles in the list of losses which mutual assessment associations may insure.<sup>300</sup>

Another act provides that actions to collect assessments from any member of an association organized to insure against losses by hailstorms shall be brought in the county where the member resides, regardless of any statement which the insurance contract may contain.<sup>301</sup>

*Reciprocal or Interinsurance Contracts.*—The Thirty-seventh General Assembly fixed the rate of annual taxation on gross premiums or deposits collected from subscribers under interinsurance contracts at two and one-half per cent for all organizations to be paid in addition to the fees collected from mutual companies transacting the same kind of business. This rate was changed to one per cent on gross premiums or deposits of domestic reciprocal organizations and two and one-half per cent in the case of a foreign organization. In calculating the amount on which this tax must be paid, the amounts actually disbursed on claims for losses of property located in Iowa and the amount returned upon cancelled policies and rejected applications covering property located or business done in the State may be deducted.<sup>302</sup>

*Insurance Tax Refund.*—In accordance with a decision of the Supreme Court of Iowa, the Thirty-ninth General Assembly appropriated \$125,000 for the purpose of refunding taxes on insurance premium receipts erroneously col-

<sup>300</sup> *Acts of the Fortieth General Assembly*, Chs. 182, 183.

<sup>301</sup> *Acts of the Fortieth General Assembly*, Ch. 181.

<sup>302</sup> *Acts of the Fortieth General Assembly*, Ch. 184.

lected and paid under protest by insurance companies. The Fortieth General Assembly appropriated the unexpended portion of the sum made available in 1921 for the payment of claims for taxes erroneously collected subsequent to 1913.<sup>303</sup>

*Fraternal Beneficiary Society Homes.*—An act which will enable the Brotherhood of American Yeomen to erect their ten million dollar "City of Childhood" in Iowa was passed by both houses of the Fortieth General Assembly without a dissenting vote. This law authorizes any fraternal beneficiary society, order, or association, organized and authorized to conduct business in Iowa, to build and maintain hospitals, asylums, sanitariums, schools, or homes within the State of Iowa for the benefit of its dependent members, their families, and dependents. These institutions will have the same legal status as other charitable institutions and as such are entitled to the benefits and privileges extended by the laws of this State. On the other hand, the Commissioner of Insurance has been given the same power over such institutions as over fraternal beneficiary societies. He may complain of mismanagement, if any exists, to officers of the organization and to the Attorney General, and ask for the removal of persons responsible for the mismanagement. This measure was passed after the House of Representatives failed to act favorably upon a bill designed to revise the State law on fraternal insurance societies in accordance with the recommendations of the New York conference. One provision of this bill permitted fraternal societies to establish homes as authorized by the law described above.<sup>304</sup>

<sup>303</sup> *Acts of the Fortieth General Assembly*, Ch. 335.

<sup>304</sup> House File No. 752; *Senate Journal*, 1923, pp. 1530, 1531; *House Journal*, 1923, pp. 1250, 1482, 1483; *Acts of the Fortieth General Assembly*, Ch. 172; *The Des Moines Register*, March 29, April 7, 1923.



## THE PROFESSIONS

*The Practice of Pharmacy.*— A penalty of one dollar was authorized to be collected if a pharmacist does not pay his annual registration fee when it is due.<sup>305</sup>

In regard to the organization of the Commission of Pharmacy, the Governor must hereafter appoint the members from lists of qualified pharmacists furnished by the Iowa Pharmaceutical Association. Moreover, the former arrangement of dividing the State into three districts and requiring that one member of the Commission live in each district was abandoned. This statute was also harmonized with the State Printing Board law by making the Superintendent of Printing, instead of the Secretary of State, responsible for furnishing the supplies needed.<sup>306</sup>

*The Practice of Chiropractic.*— The Thirty-ninth General Assembly for the first time recognized chiropractic as a profession and regulated the licensing of practitioners. The Fortieth General Assembly found it necessary to make a number of changes in the law. A person to be eligible for examination must not only be a graduate of a standard school, so recognized by the Board of Chiropractic Examiners, but he must also be at least twenty-one years of age. The power of the Board of Examiners to make necessary rules was enlarged. The time of holding examinations was changed from the first Monday in February, July, and October to the first Monday in April, August, and December and the April and August sessions may now be held at some place in the State other than the capital if twenty or more applications for examination have been made and a differ-

<sup>305</sup> *Acts of the Fortieth General Assembly*, Ch. 42.

<sup>306</sup> *Acts of the Fortieth General Assembly*, Ch. 41.

ent place would be advantageous. This appears to be primarily for the convenience of graduates of the Palmer School at Davenport. The annual license renewal fee was increased from \$2 to \$3, and it was made a misdemeanor to practice without having paid the renewal fee. The definition of a standard school was modified by adding the requirements of approval by the Board of Examiners and the inclusion of practical clinical instruction in the curriculum. In recognition of this clinical practice an exception was inserted in the section of the law which prescribed penalties for practising without a license. A technical amendment was also made relating to the proper expenses of the Board of Examiners.<sup>307</sup>

*Real Estate Brokers.*—As in 1921 a bill was introduced in the Fortieth General Assembly to regulate the real estate business. Representative A. O. Hauge proposed to establish an Iowa Real Estate Commission of three members appointed by the Governor to license real estate dealers. Only persons who “bear a good reputation for honesty, truthfulness and fair dealing” and who are competent to transact business so as to safeguard the interests of the public would be eligible for a license. After January 1, 1924, no one would be allowed to engage in the profession of real estate broker or salesman who did not possess a license. The measure was indefinitely postponed.<sup>308</sup>

#### JUDICIAL PROCEDURE AND LEGAL PROCESSES

The law relative to change of venue in criminal cases was rewritten. The principal change makes it possible for the State to petition for a change of venue in cases where the

<sup>307</sup> *Acts of the Fortieth General Assembly*, Ch. 38.

<sup>308</sup> House File No. 760; *House Journal*, 1923, p. 1258.

defendant is charged with felony, in the same manner and for the same reasons as a defendant accused of a crime may petition for change of venue. When a petition has been granted to one party to the prosecution the other party may petition for a change from the county to which the case has been transferred as though it were the place where the case started. This provision, however, will not permit a change to the county where the case was originally pending.<sup>309</sup>

Appeals in criminal cases must now be taken within sixty days from the time when judgment was rendered. The time formerly allowed for this process was six months. As originally drafted, however, the bill providing for this amendment limited the time to thirty days. It was maintained that a busy criminal lawyer would not have sufficient time to perfect an appeal in so short a period and so the change to sixty days was made.<sup>310</sup>

The law relative to the procedure in forfeiture of bail was completely revised. As was the case prior to the revision, failure of a defendant to appear in court when his presence is lawfully required makes it necessary for the court to enter that fact in the record. The bail is then declared to be forfeited. In making this record the judge must now also direct the sheriff to give ten days' notice to the defendant or his bondsmen that they appear and show cause why judgment for the amount of the bail should not be rendered. If they fail to appear the judge must enter the judgment. If they do appear, however, the case is set down for immediate hearing and the judge has authority to enter the order warranted by circumstances. Should the forfeiture be entered before a justice of the peace or examining magistrate, or court of limited jurisdiction, the record

<sup>309</sup> *Acts of the Fortieth General Assembly*, Ch. 221.

<sup>310</sup> Senate File No. 433; *Acts of the Fortieth General Assembly*, Ch. 222.

thereof must be certified to the county clerk and the district court then proceeds with the case. Judgment on the forfeiture of a bond may be avoided if the defendant surrenders himself to the sheriff or is delivered to that officer by his bondsmen within sixty days after the forfeiture was entered.<sup>311</sup>

According to the law of Iowa a defendant is a competent witness in his own behalf but can not be called by the State. If the defendant refuses to witness in his own behalf that fact has no weight of evidence against him in the trial, nor are the prosecuting attorneys permitted to refer to the fact. Should a prosecuting attorney mention it in spite of this prohibition he is to be declared guilty of misdemeanor and the defendant is entitled to a new trial. A bill was introduced proposing to repeal these safeguards granted a defendant who refuses to testify. The measure passed the Senate, but it never came to a vote in the lower chamber and was finally lost in the House Sifting Committee.<sup>312</sup>

The provision which authorizes a court to give orders in divorce cases relative to the parties to the case, their property, or their children was amended so as to provide that any person ignoring such an order or secreting his property shall be guilty of contempt of court and may be punished accordingly.<sup>313</sup>

Provision was made for the disposition of stolen automobiles coming into the hands of peace officers. As in the case of other stolen or embezzled property the peace officer must hold a stolen automobile until he receives an order for its disposal issued by the proper magistrate. If the car is not claimed by its owner before the date on which the per-

<sup>311</sup> *Acts of the Fortieth General Assembly*, Ch. 219.

<sup>312</sup> Senate File No. 392; *Senate Journal*, 1923, p. 598.

<sup>313</sup> *Acts of the Fortieth General Assembly*, Ch. 197.

son charged with its theft is convicted, or if an abandoned motor vehicle is found and not claimed within three days, the officer having custody of it must notify the Secretary of State thereof and also send a description of the vehicle by mail. In case it is possible to ascertain the owner from the records in the office of the Secretary of State, such person must be notified of the whereabouts of his car; but if that is impossible it becomes the duty of the Secretary of State to send a description of the vehicle and other information to every county treasurer in Iowa and also to the State Bureau of Investigation. Should the owner appear within forty days and establish his ownership he may have his automobile upon payment of the costs incurred incident to the apprehension of the vehicle and the location of the owner. In case the owner does not appear, the car must be sold at auction after having been properly advertised. Should the ownership of the vehicle be established within six months after the sale the board of supervisors may direct that the surplus be paid to the owner; otherwise such proceeds accrue to the general county fund.<sup>314</sup>

Workmen's compensation awards were made exempt from garnishment, attachment, and execution.<sup>315</sup>

The law relative to the appointment of guardians for drunkards, spendthrifts, idiots, lunatics, and persons of unsound mind was amended so that any other person may also have a guardian appointed for his person or property. This can be accomplished, upon application of the party desiring the guardian to the district court, if in the opinion of the judge such an appointment is warranted.<sup>316</sup>

<sup>314</sup> *Acts of the Fortieth General Assembly*, Ch. 209.

<sup>315</sup> *Acts of the Fortieth General Assembly*, Ch. 206.

<sup>316</sup> *Acts of the Fortieth General Assembly*, Ch. 199.

Two acts relative to wills were passed by the Fortieth General Assembly. One of these provides that the directions of the court or clerk to executors and administrators to have their appointments published must be made a matter of record. Moreover, this same act legalized all cases of irregular publication of these notices prior to January 1, 1920. The second measure gives the clerk of the district court, as well as the court or judge in vacation, authority to prescribe a notice fixing the time for proving a will.<sup>317</sup>

The establishment of clear land titles in Iowa is becoming yearly a more difficult and expensive process. The problem has been studied by every General Assembly in recent years, and the creation of an office of Commissioner of Land Titles has been proposed and the adoption of the Torrens system has been advocated. By the Fortieth General Assembly the establishment of a commission to investigate the problem and report to the special session was authorized. The system may then be changed in connection with the general revision of the Code. To serve on such Commission the Governor has appointed S. C. Rees, chairman of the Senate Committee on Land Titles, E. W. Vincent, member of the House Committee on Land Titles, H. A. Huff, A. M. Parker, and O. P. Myers.<sup>318</sup>

Two other laws relative to land titles were also passed in 1923. One of these is an amendment to an act passed in 1917 legalizing instruments affecting land titles filed in the recorder's office prior to 1910 even if no acknowledgments or defective acknowledgments were attached to them. This was changed so as to apply also to such instruments filed

<sup>317</sup> *Acts of the Fortieth General Assembly*, Chs. 207, 208.

<sup>318</sup> Senate File No. 519, Thirty-ninth General Assembly; Senate File No. 494; House File No. 436; *Acts of the Fortieth General Assembly*, Ch. 326; *The Des Moines Register*, May 8, 1923.

between 1910 and 1915. This amendment will not affect pending litigation.<sup>319</sup>

The second of these two acts provides that if the holder of a junior lien upon any real estate advances payments for delinquent taxes or special assessments against the property or for interest on the senior lien, or if he satisfies broken conditions of the senior lien, he shall have an additional lien of the same priority for the amount of payments made. He must, however, file proper records of his action with the clerk of the district court. If the advancements are made by the holder of a sheriff's sale certificate, the money advanced becomes part of the amount required to redeem the property sold by the sheriff.<sup>320</sup>

#### CRIMINAL LAW

Two acts pertaining to criminal law passed by the Fortieth General Assembly define new crimes and are of special interest because of their timely importance. According to one of these acts any person illegally selling, giving away, or furnishing intoxicating liquor which causes the death of the drinker will be guilty of manslaughter and may be punished accordingly. As originally drawn the measure provided that such an act would constitute murder, but this was changed by Judiciary Committee Number One of the Senate before the bill was reported out for passage. This committee is also responsible for making the act apply only to persons who sell, give, or furnish the liquor contrary to law so that any person who legally furnishes liquor which causes the death of the drinker will not be considered guilty.<sup>321</sup>

<sup>319</sup> *Acts of the Fortieth General Assembly*, Ch. 195.

<sup>320</sup> *Acts of the Fortieth General Assembly*, Ch. 192.

<sup>321</sup> *Acts of the Fortieth General Assembly*, Ch. 210; *The Des Moines Register*, February 2, 1923.

The second of these two measures is the result of alleged Ku Klux Klan outrages in Louisiana and is aimed to curb the activities of that organization and other similar societies. No little difficulty was experienced in framing a suitable bill since there was no desire to interfere with the initiation ceremonies of any secret order. The difficulty arose because the logical point of attack is the regalia worn by the members of the society. A measure was drafted by Representative Ray A. Yenter of Johnson County and Senator Harry C. White of Benton County. This was introduced in both chambers of the legislature on the fifth of February. The House Judiciary Committee proposed a substitute for the Yenter bill which was finally enacted. The act is modelled after the Tennessee law which has been in effect since 1870 and has, on several occasions, been held valid by Supreme Court decisions. There are only three sections in this law, each succeeding one stronger than its predecessor. The first section provides that anyone, masked or in disguise, who disturbs the peace or intimidates any person shall be guilty of a misdemeanor punishable by a fine of from \$100 to \$500, by imprisonment for any length of time from one to six months, or by both such fine and imprisonment. By virtue of the second section, entering the premises of any person or demanding admission while masked or in disguise is made *prima facie* evidence of guilt of assault with intent to commit a felony. The penalty upon conviction of this charge is imprisonment in the penitentiary for ten years. The last section provides that assault with a dangerous weapon while masked or in disguise will be deemed assault with intent to commit murder and is punishable by imprisonment for twenty years.<sup>322</sup>

<sup>322</sup> House File No. 402; *Senate Journal*, 1923, p. 374; *House Journal*, 1923, pp. 408, 1138; *Acts of the Fortieth General Assembly*, Ch. 211; *The Des Moines Register*, January 9, March 20, 1923.



The penalties for a number of crimes were modified and in most instances were made more severe by the Fortieth General Assembly. Prior to 1921 any person who committed robbery while armed, or if accompanied by an armed confederate, could be punished by imprisonment for a period of not less than ten years nor more than twenty years. The Thirty-ninth General Assembly removed the minimum penalty, but in 1923 the legislature fixed imprisonment for twenty-five years as the punishment for this offense. A fine of not over \$100 or imprisonment for not exceeding thirty days was fixed as the specific penalty for infringement of the civil right of all persons to equal treatment in certain public places. This was formerly punished as a misdemeanor. The law setting forth the punishment for escaping from a county jail was amended so as to apply to breaking out of any jail.<sup>323</sup>

The penalty to be meted out to any person guilty of ravishing an imbecile or insensible woman was fixed at imprisonment for life or for any term of years. This crime was formerly covered by the same penalty prescribed for rape. According to a code revision bill passed by the Fortieth General Assembly, the commission of immoral and lascivious acts with or in the presence of a child under fourteen years of age was defined as a crime. This retained the same age provision as formerly. A subsequent act passed in 1923 changed the law so as to apply to children less than seventeen years of age.<sup>324</sup>

With a view to restraining the practice of gambling, sheriffs and other peace officers have been given authority to seize property or money offered as a stake or paid in connection with any game of chance, lottery, gambling scheme,

<sup>323</sup> *Acts of the Fortieth General Assembly*, Chs. 213, 216, 217.

<sup>324</sup> *Acts of the Fortieth General Assembly*, Chs. 212, 214, 274.

gift enterprise, or other trade scheme contrary to the laws of Iowa. Notice of the seizure must be given, however, and at a hearing before the district court the owner or person from whom the goods were taken will be given opportunity to show that the property seized was not of the character described. In the event that he is unable to do that the property will be sold if it has any value, but if worthless it will be destroyed. Money, as well as the proceeds from the sale of property, seized in this manner will accrue to the benefit of the school fund.<sup>325</sup>

Peace officers, extradition agents, and officers of penal institutions from other States have been given the same authority over their prisoners while transporting them through Iowa as duly constituted peace officers of this State in making arrest under process issued by the courts.<sup>326</sup>

A bill introduced by Senator John R. Price aimed to suppress crime by providing a penalty of five years imprisonment in the penitentiary for carrying any concealed weapon in a suit case, vehicle, or automobile or upon one's person, without a permit, and by providing also for a jail sentence for selling or giving away any weapon without a permit from a court of record. Although the measure was recommended by the Attorney General and by the State association of county attorneys, it encountered much opposition in the Senate. Those who opposed the measure felt that it might make criminals out of law-abiding citizens without preventing the crook from obtaining firearms or other weapons. A number of amendments were incorporated in the bill to make it less sweeping. Senator Price pointed out that the measure would enable the authorities to send to the penitentiary known criminals and others against whom

<sup>325</sup> *Acts of the Fortieth General Assembly*, Ch. 215.

<sup>326</sup> *Acts of the Fortieth General Assembly*, Ch. 218.

there was evidence of crime, should they be found with concealed weapons in their possession. The bill was finally passed in the Senate by a vote of twenty-seven to nineteen. It was then sent to the House of Representatives where further changes were made. The Senate failed to concur in these amendments and consequently the measure failed of enactment.<sup>327</sup>

#### MILITARY AFFAIRS

Governor Kendall, in his biennial message to the legislature, spoke very highly of the efficiency and activity of the National Guard organization in Iowa. Being financed at the exceedingly low cost of eleven cents annually per capita of the State and being "composed of the highest character, courage and patriotism in the commonwealth", it was declared to be entitled to the liberal support of the State. Accordingly the Fortieth General Assembly not only allowed previous annual appropriations to the extent of \$265,000 to stand unchanged but passed another law appropriating \$10,000 annually for the support of Camp Dodge which is now a permanent place of encampment for the Iowa National Guard. A bill proposing to appropriate \$12,000 for the completion of the Roster of Iowa Soldiers, Sailors, and Marines was indefinitely postponed by the Senate after having passed the House of Representatives by a vote of ninety-one to nothing.<sup>328</sup>

Three acts passed by the legislature in 1923 provide for the payment of sums of money as damages on account of accidents occurring to members of the National Guard while on duty. A trust fund of \$7500 was created for Ardis

<sup>327</sup> Senate File No. 363; *Senate Journal*, 1923, pp. 518, 1654-1656; *House Journal*, 1923, pp. 1860, 1861; *The Des Moines Register*, February 2, 17, 1923.

<sup>328</sup> House File No. 492; *House Journal*, 1923, pp. 34, 35, 1223; *Senate Journal*, 1923, p. 1213; *Acts of the Fortieth General Assembly*, Ch. 5.

Roberdee who was partly paralyzed as a result of being kicked by a horse while on duty. E. R. Moore of Cedar Rapids was appointed trustee of the fund and instructed to invest it in safe securities and to use the interest and principal for the education and care of Mr. Roberdee. An appropriation of \$2543.50 was made to reimburse Second Lieutenant Charles R. Messett for loss of time, hospital services, and medical attention incident to being accidentally wounded while in the services of the Guard. Another act appropriated \$3000 as damages to John Young and Retta Young for the death of their son caused by an accident while serving as a member of the Iowa National Guard.<sup>329</sup>

A law was passed providing for the payment of pensions to the survivors of John Mitchell's Company of Iowa Volunteers, a Civil War organization, or to the surviving widows of its members. By the terms of this act such persons are entitled to receive \$240 on June 1, 1923, and twenty dollars per month thereafter for the rest of their lives. Estimates compiled in the office of the Auditor of State indicate that about \$1440 will be needed for this purpose during the current biennium. Another measure of a similar nature was defeated in the Senate. This bill proposed to pay pensions to survivors of John W. Ferguson's Company of State Militia, popularly known as the "Davis County Regulators", or surviving widows of members of that organization.<sup>330</sup>

The maximum amount which a county may allow for the burial expenses of an indigent soldier or sailor was increased from \$50 to \$100.<sup>331</sup>

<sup>329</sup> *Acts of the Fortieth General Assembly*, Chs. 282, 288, 292.

<sup>330</sup> Senate File No. 567; *Senate Journal*, 1923, p. 1545; *Acts of the Fortieth General Assembly*, Ch. 6.

<sup>331</sup> *Acts of the Fortieth General Assembly*, Ch. 111.

As the result of a special act passed for the benefit of "all counties having a population of more than one hundred twenty-five thousand (125,000) in which there is located a permanent federal or state institution within a distance of ten (10) miles from the corporate limits of the county seat, and where upon the main traveled thoroughfare leading from said county seat to said institution there is located a water main", the board of supervisors of Polk County is authorized to establish benefited water districts along the road leading from Des Moines to Fort Des Moines. Such districts may be established on either side of the road and include lands within six hundred feet of the highway. The costs of water service and hydrants for fire protection may be levied against the land in the benefited districts, but may not exceed twenty-five per cent of the value of the land at the time the levy is made. The board of supervisors may not only establish the district upon its own initiative as described, but also upon petition of twenty-five resident property owners within the proposed district, and must do so after a hearing when three-fourths of the resident property owners petition for such action. When the district has been established as the result of a petition the total cost of the service may be levied against the real estate even if the amount is more than twenty-five per cent of the value of the land. Taxes for this purpose must be levied upon the land in the district at the September meeting of the county board and the amount necessary is certified to the county auditor by the person or corporation furnishing the water service.<sup>332</sup>

#### LEGALIZING ACTS

All of the powers exercised by cities and towns, counties, townships, and school districts are delegated to them by the

<sup>332</sup> *Acts of the Fortieth General Assembly, Ch. 112.*

State government. Moreover, the powers granted must be exercised in accordance with detailed directions given by the acts of the General Assembly. Sometimes the officers of these areas of government overstep their authority or exercise their powers in a manner contrary to law. Usually these acts are done in good faith, and in order to obviate any difficulties which might arise out of such illegal acts the General Assembly is asked to legalize the procedure in particular instances. Most of these legalizing acts are related in some manner to the financial transactions of the local areas and particularly to the issuance of bonds. It frequently happens that the defects in the proceedings are discovered by prospective bond purchasers who usually insist that the action be legalized before they will consider purchasing the bonds. As a result each session of the legislature receives a number of requests for validation of acts. The number of these acts passed by the Fortieth General Assembly is not nearly so large as the number passed by the General Assembly which met in 1921. There were enough measures of this character, however, to justify continuance of the practice of devoting an entire section in the session laws to legalizing acts. These acts are similar to those enacted by former legislatures.

Besides the forty-three legalizing acts that were passed in 1923, the Fortieth General Assembly amended the law setting forth the procedure to be followed in proposing legalizing acts. A law passed by the Thirty-ninth General Assembly provided that no bill which proposed to legalize the proceedings, bonds, or warrants of public corporations could be placed upon passage until proof that the bill had been published in a local newspaper, had been entered upon the House or Senate journals. This provision was changed so that the proof of publication must be filed with the Chief Clerk of the House and the Secretary of the Senate, and a

brief minute of the filing entered upon the journals of both houses.<sup>333</sup>

Of the legalizing acts proper, sixteen relate to cities and towns, seven of which have to do with the holding of elections. Doubts had arisen as to whether the proper methods of nominating candidates for mayor and councilman had been used in McCallsburg, and to put at rest all doubts as to the legality of the elections held for these officers the town elections held biennially in that locality from 1911 to 1921 inclusive were legalized. The records of elections, official acts, and resolutions for the town of Kent, from 1903 to 1907 inclusive, were lost and all transactions of the council as well as the elections held during that time were declared to have been valid. It appears that six councilmen instead of five, as provided by law, had served the town of Grand River part of the time since 1914, and in view of the fact that the "acts of the council during this time, were for the best interest of the citizens and there is a general desire to approve all such acts, elections and ordinances", the elections held in 1914, 1918, 1920, and 1922, as well as all ordinances and resolutions passed by the council during that time, were legalized by the General Assembly. An act of a general nature legalized all nomination papers for city or town officers which had been filed in various cities and towns ten days before election instead of fifteen days before that time as required by a law passed in 1915. Three acts declare city elections held for the purpose of issuing bonds to be valid. One of these was for the issue of \$70,000 worth of bonds for the erection of extensions and for additional equipment for the municipal electric light and power plant at Maquoketa; another for a \$7000 bond issue for the Denver city hall; and the third was for the issuance of \$230,000

<sup>333</sup> *Acts of the Thirty-ninth General Assembly*, Ch. 228; *Acts of the Fortieth General Assembly*, Ch. 194.

worth of bonds by Oskaloosa for the purchase of the water-works system.<sup>334</sup> Another act growing out of the action suggested in the last law mentioned legalized the transfer of \$4134.77 from the water fund of Oskaloosa to its water-works fund, since after the purchase of the system by the city it was no longer necessary for the municipality to pay directly for the use of water and hence there was no longer any need for a water fund.<sup>335</sup>

The *Revised Ordinances of the City of Independence, Iowa*, 1917, chapters one to fifty-nine inclusive, were declared to be legal.<sup>336</sup>

Warrants representing the sum of \$50,000 and a bond issue to fund the indebtedness which these warrants represent were legalized for the city of Waterloo, and similar action was taken for \$180,000 worth of warrants and funding bonds issued by the city of Council Bluffs. Bonds to the extent of \$250,000 had been issued by the council of Davenport for the purpose of funding indebtedness of the city and borrowing money. This action was declared to be legal and the city council was authorized to levy additional taxes to pay for the bonds. The other four legalizing acts relative to cities and towns validated the franchises issued by Dolliver, Gruver, Ringsted, and Wallingford to the Armstrong Cement Works for the operation of electric light and power plants within their respective corporate limits.<sup>337</sup>

There was some question as to the validity of certain acts of county officials in a number of counties and ten measures were enacted to remove these doubts. Six of these legalized

<sup>334</sup> *Acts of the Fortieth General Assembly*, Chs. 352, 355, 356, 360, 361, 363, 364.

<sup>335</sup> *Acts of the Fortieth General Assembly*, Ch. 362.

<sup>336</sup> *Acts of the Fortieth General Assembly*, Ch. 359.

<sup>337</sup> *Acts of the Fortieth General Assembly*, Chs. 353, 354, 357, 358, 365, 366, 382.



the issue of warrants and authorized the boards of supervisors concerned to issue and sell funding bonds to cover the indebtedness represented by the warrants. Two acts — one relating to \$50,000 worth of bonds for building a county home in Cerro Gordo County and the other to a bond issue of \$15,000 for the purpose of building a jail in Lucas County — validated elections held for the purpose of obtaining popular authorization for the issuance of bonds. All acts relative to the issue of these bonds were legalized and the action of the board of supervisors of the latter county in issuing \$7500 worth of refunding bonds was also declared legal. The ninth act relative to the actions of boards of supervisors legalized the bond issue of \$125,000 for the purpose of constructing a courthouse in Calhoun County in 1912, for the payment of which no sinking fund had been established. The county board was authorized to issue refunding bonds for the amount due. The board of supervisors of Des Moines County and the city council of Burlington had agreed to coöperate in the construction of a primary road project but it appeared that the primary road funds of the county were exhausted. The contract was legalized, however, and the board of supervisors authorized to anticipate sufficient funds to meet the obligations of the county from future installments of primary road funds due the county by the issuance of road certificates.<sup>338</sup>

Acts of county officers in regard to drainage districts were legalized in no less than six instances. Four of these drainage districts are in Polk County, one in Marion County, and the sixth is an inter-county project for the drainage of Keokuk Lake in Muscatine County and Odessa Lake in Louisa County. This district was apparently established for the purpose of draining State owned lands

<sup>338</sup> *Acts of the Fortieth General Assembly*, Chs. 341, 342, 343, 344, 345, 346, 347, 348, 350, 351.

and carries with it an appropriation from State funds of \$75,050.63 to pay the assessments against the land owned by Iowa.<sup>339</sup>

Eight legalizing acts were required to remedy technical mistakes of authorities in school districts. Seven of these legalize the issue and sale of school building bonds and in three of these the elections held to authorize the bond issue are also validated. The eighth of these acts arose out of the fact that the secretary of independent school district number one of Douglas Township in Bremer County had failed to certify a levy of \$800 to the county auditor in time for publication by that officer. He did so later, however, and the auditor then published the levy as required by law and the board of supervisors levied the taxes as certified. These acts were declared to be legal and the tax levy binding by the Fortieth General Assembly.<sup>340</sup>

It is significant that no acts to legalize proceedings relative to the establishment of consolidated school districts were passed during the legislative session in 1923. The explanation for this may be found in the fact that comparatively few such districts have been established during the last three years due to economic conditions and the increased difficulty of organization since 1921.

Irregularities in the activities of corporations were the subject of three legalizing acts. Two special acts validating the notices of incorporation of the Grundy Construction Company and of the B and K Coal Company of Burlington were legalized even though they were not published within three months after the certificates had been issued by the Secretary of State. Finally, another legalizing act declared all the proceedings of the Graettinger Tile Works to be

<sup>339</sup> *Acts of the Fortieth General Assembly*, Chs. 349, 375, 376, 377, 378, 379.

<sup>340</sup> *Acts of the Fortieth General Assembly*, Chs. 367, 368, 369, 370, 371, 372, 373, 374.

legal in spite of any irregularities that might have occurred in the process of incorporation.<sup>341</sup>

Three acts which have a legalizing effect, though strictly speaking they do not come within the category of legalizing acts, were passed relative to land titles. The Governor and the Secretary of State were authorized to convey by patent certain lands in Audubon County to Walter F. Nelson, certain lands in Dallas County to Martha Viola Neel, and certain lands in Jones County to S. G. Matson.<sup>342</sup>

<sup>341</sup> *Acts of the Fortieth General Assembly*, Chs. 381, 383, 384.

<sup>342</sup> *Acts of the Fortieth General Assembly*, Chs. 314, 317, 339.

## SOME PUBLICATIONS

*Recalling Pioneer Days.* Edited by Frank H. Severance. Buffalo: Buffalo Historical Society. 1922. Pp. 473. Plates. This is Volume XXVI of the *Publications of the Buffalo Historical Society*, and contains material relating to the beginnings of Buffalo and the neighboring region.

A miscellaneous collection of material, both documentary and narrative, drawn for the most part from the manuscript collections of the Society, describes the work of the Holland Land Company, the personality of those engaged in it, the founding of the city of Buffalo, and conditions of its pioneer days.

The leading paper of the volume is a careful study by G. Hunter Bartlett of the work of Andrew, Joseph, and Benjamin Ellicott. The study shows clearly the part borne by Major Peter Charles L'Enfant, by Andrew Ellicott, and others in the founding of the national capital and the making of the original survey. It explains, furthermore, the source of certain features in the street plan of Buffalo, which in some respects resembles the plan of Washington. Some heretofore unpublished documents relating to the history of Buffalo are included in this study.

The William Hodge papers, another important contribution to the volume, deal with the pioneer period of what was then an outlying neighborhood of the village of Buffalo. The reminiscences of William Hodge, the second, form an interesting and valuable portion of the story.

*An Experience of 1813, A True Incident of the Niagara Frontier*, by Clara L. Sisson Williams, is a vivid account of an Indian raid during the War of 1812. *One of Our First Families and Two Old-Time Societies*, both by the editor, help to preserve the record of pioneer days in the vicinity of Buffalo.

The volume also contains a list of the present officers of the Society, the names of its presidents, a list of its members, an account of the proceedings for 1922, and a summary of the publications of the Society. An *In Memoriam* sketch of William Y. War-

ren, illustrations of *A Few Vanished Landmarks of Buffalo*, and editorial notes complete the contents of the book.

The volume is attractively printed and bound, and is a worthy successor to the publications of the Buffalo Historical Society which have preceded it.

*Minnesota in the Spanish-American War and the Philippine Insurrection.* By Franklin F. Holbrook. Saint Paul: Minnesota War Records Commission. 1923. Pp. 675. Plates. This volume is divided into two parts: a narrative of the part of Minnesota in the Spanish-American War and the Philippine Insurrection, comprising about one-fourth of the book, and a roster of all Minnesota men in the various branches of military and naval service. Minnesota furnished four infantry regiments during this war, but only one — the Thirteenth Minnesota — saw active service in the Philippine Islands. The roster is presented by companies, but an index obviates the difficulty of locating a man whose company and regiment are unknown. The volume is issued as Volume I of the *Publications of the Minnesota War Records Commission*. Plans have been made to follow up this work with a history of Minnesota's part in the World War in eight volumes.

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*The Indian in Literature*, by Herman F. C. ten Kate, is an article of historical interest in the *Annual Report of the Smithsonian Institution* for 1921.

A continuation of *Nationalism and the Social Studies*, by Carlton J. H. Hayes, is one of the papers in *The Historical Outlook* for October.

A monograph by Ruth Fulton Benedict entitled *The Concept of the Guardian Spirit in North America* appears in a recent number of the *Memoirs of the American Anthropological Association*.

*To Nebraska in '57: A Diary of Erastus F. Beadle* has been printed in pamphlet form by The New York Public Library, as a reprint from the *Bulletin of the New York Public Library* for February and March, 1923.

*Laguna Genealogies*, by Elsie Clews Parsons, constitutes a recent number of the *Anthropological Papers of the American Museum of Natural History*.

*America's Relation to the European Situation* is the general topic of the July number of *The Annals of the American Academy of Political and Social Science*. *Prohibition and Its Enforcement*, by T. Henry Walnut, is the subject treated in the September issue.

*Who Should Organize State Administration*, by F. F. Blachly, *The Present Status of Farm Tenancy in the Southwest*, by W. E. Garnett, and *The Effect of the World War Upon the National Spirit of the Colored Peoples*, by Joe L. Clark, are three of the articles in *The Southwestern Political and Social Science Quarterly* for September.

*Selections from the Letters and Diaries of Brevet-Brigadier General Willoughby Babcock of the Seventy-fifth New York Volunteers*, edited by Willoughby M. Babcock, Jr., has recently been issued by the Division of Archives and History of the University of the State of New York. This is Bulletin No. 2 of the *War of the Rebellion Series* and is arranged to present a picture of camp life in the Union armies during the Civil War.

*Women of the "Mayflower" and Plymouth Colony*, by Mary Soule Googins, is an interesting paper in the June issue of *The Medford Historical Register*. There is also a short article by Anson Titus on *Jim Franklin, Ben's Big Brother*. In the September number there is an article entitled *Medford's Bulky Red Nose*, by Moses W. Mann and T. M. Stetson, and *Governor's Avenue As It Was*, by Moses W. Mann.

*Legislation for the Farmers: Packers and Grain Exchanges*, by G. O. Virtue, and *The Kansas Court of Industrial Relations, Its Spokesmen, Its Record*, by Herbert Feis, are two of the papers in the August number of *The Quarterly Journal of Economics*.

*A Journal of a Tour to North Carolina by William Attmore, 1787*, edited by Lida Tunstall Rodman, has recently been published in *The James Sprunt Historical Publications*.

Three of the papers in the September issue of *The American Economic Review* are: *State Bank Withdrawals from the Federal Reserve System*, by Charles Sanford Tippetts; *Tendencies in the Automobile Industry*, by C. C. Edmonds; and *The Agricultural Credits Act of 1923*, by V. N. Valgren.

*The History of British Foreign Policy*, by R. W. Seton-Watson, and *The Office of Sheriff in Scotland: Its Origin and Early Development*, by C. A. Malcolm, are two of the articles in *The Scottish Historical Review* for July.

Three of the articles and papers in *The Journal of Negro History* for July are the following: *Negro Servitude in the United States*, by T. R. Davis; *Three Elements of African Culture*, by Gordon B. Hancock; and *Methodism and the Negro in the United States*, by J. C. Hartzell.

Part two of Bulletin 40 of the Bureau of American Ethnology is a *Handbook of American Indian Languages*, compiled by Franz Boas. This is in four parts: *The Takelma Language of Southwestern Oregon*, by Edward Sapir; *Coos and Suislawan*, both by Leo J. Frachtenberg; and *Chukchie*, by Waldemar Bogoras. Bulletin 79 of the same series is *Blood Revenge, War, and Victory Feasts Among the Jibaro Indians of Eastern Ecuador*, by Rafael Karsten.

*The Commerce of Boston on the Eve of the Revolution*, by Samuel Eliot Morison, *William Bentley, D. D.*, *The Salem Diarist*, by George Francis Dow, *Some Notes on Early American Lithography*, by Charles Henry Taylor, and a *Bibliography of American Newspapers, 1690-1820* — relating to Philadelphia, compiled by Clarence S. Brigham, are the papers in the *Proceedings of the American Antiquarian Society* for April, 1922.

*A Topographical Description of the County of Prince George, in Virginia, 1793*, by John Jones Spooner, an installment of the *Letters of James Monroe*, and *Sketches from the Journal of a Confederate Soldier* — from the journal of Samuel Elias Mays — are some of the contributions to the July issue of *Tyler's Quarterly Historical and Genealogical Magazine*.

Among the articles and papers in the *American Anthropologist* for April-June are the following: *The Hovenweep National Monument*, by J. Walter Fewkes; *The Hopi Wowochim Ceremony in 1920*, by Elsie Clews Parsons; *Notes on Two Pueblo Feasts*, by Esther S. Goldfrank; *Notes on the Indians of Southern Massachusetts*, by Harris Hawthorne Wilder; *Algonkian Influence upon Iroquois Social Organization*, by F. G. Speck; and *Indonesia and the Middle American Calendar*.

*Riddles from Negro School — Children in New Orleans, La.*, by A. E. Perkins, is an article on American folk-lore in *The Journal of American Folk-Lore* for April-June, 1922. *Negro Spirituals from the Far South*, also by Mr. Perkins, and *Folk-Lore from Elizabeth City County, Virginia*, by A. M. Bacon and E. C. Parsons, are two of the papers in the issue for July-September, 1922. *Traditional Texts and Tunes*, by Albert H. Tolman and Mary O. Eddy, a continuation of *Some Songs Traditional in the United States*, published in 1916, is the article which makes up the issue for October-December, 1922.

*Beginnings of Bristol County, Massachusetts; The Story of Massachusetts, Elizabeth Poole and Zerviah Mitchell*, by Frank Walcott Hutt, is one of the articles in *Americana* for July. *Valley Forge — Its Parks and Memorials*, by Will L. Clark, *Hackensack; County Seat of Bergen County, New Jersey*, by Frances A. Westervelt, *John Champe, Patriot Spy of the Revolution*, by Daniel Van Winkle, and *Highland Scottish Clans, Sub-clans and Families Represented in America with Origin of Their Names*, by Joel N. Eno, are other articles in this issue.

#### WESTERN AMERICANA

*Winnebago Villages and Chieftains of the Lower Rock River Region*, a monograph by N. W. Jipson, is the chief contribution to *The Wisconsin Archeologist* for July.

*The Eagle as a National Emblem*, by Francis Hobart Herrick, and *The Derivation and Significance of the Term Western Reserve*,



by Frederick C. Waite, are two of the articles of historical interest in the August issue of the *Western Reserve University Bulletin*.

*A Study of Bows and Arrows*, a monograph by Saxton T. Pope, has been published in the *University of California Publications in American Archaeology and Ethnology* dated August 30, 1923. The study is illustrated by sixty-four plates.

*The American Struggle for the British West India Carrying Trade, 1815-1830*, by F. Lee Bennis, and *The Adventures of Gilbert Imlay*, by Ralph Leslie Rusk, are two monographs published in the March issue of the *Indiana University Studies*.

Under the series title, *Early Western Journals*, The Arthur H. Clark Company has recently issued as the initial volume *The Journal of John Work*, edited by William S. Lewis and Paul C. Phillips. In addition to the journal there is a sketch entitled *The Fur Trade in the Northwest*, by Paul C. Phillips, and a *Life of John Work*.

*The Quarterly Journal of The University of North Dakota* for July contains the following articles and papers: *Social and Economic Background of the University of North Dakota in the Eighties of Last Century*, by John Morris Gillette; *The Founding of the University*, by Vernon P. Squires; *Student Life During the First Decade of the University of North Dakota*, by Mrs. Mattie Glass Masee; *Webster Merrifield and the University of North Dakota*, by Earle J. Babcock; *Old Time Heroes of the University of North Dakota*, by Melvin A. Brannon; *Some Reminiscences and Impressions*, by John M. Hancock; and *Pioneers in Education in North Dakota*, by E. J. Taylor.

*Aboriginal and Pioneer Agriculture in Wisconsin*, by B. G. Packer, *Old Furniture in Green Bay*, by Deborah Beaumont Martin, *The Romance of Wisconsin Navigation*, by R. G. Plumb, and *Walt Whitman and Wisconsin*, by Milo C. Richter, are some articles of historical interest in the July issue of *The Wisconsin Magazine*. In the August number, R. G. Plumb contributes a paper on *Lake Michigan Disasters*, and Helen Dyson writes of *Wisconsin's Swiss Canton*. There are also the following articles: *Aztalan, Mute Witness to a Lost Civilization*, by May L. Bauchle; *Wisconsin's Heart-*

aches; *The Story of Wisconsin's Shifting Boundary*, by Mary A. James; *Stage Coach Routes in Sauk County*, by H. E. Cole, and *Mark Twain and Wisconsin*, by Milo C. Richter. The issue for September contains a number of articles on Racine. The chief historical paper is *Wisconsin Heights Battlefield*, by Louise Phelps Kellogg.

## IOWANA

The *History of Fort Dodge*, by J. H. Schaffner, is continued in the July and August numbers of *The Community Builder*.

*The Journal of the Iowa State Medical Society* for July 15, 1923, contains an article by D. S. Fairchild on *Physicians Who Located in Iowa in the Period between 1860 and 1870*.

*Three Towns: A Story of Municipal Beginnings* is the title of a booklet which has been published recently. The three towns are Irvington, Cresco, and Ashuelot, but the volume contains a large amount of material on various other towns and their changing fortunes, especially some of those which have disappeared or ceased to flourish. There is also some information on county seat changes.

## SOME RECENT PUBLICATIONS BY IOWA AUTHORS

Aldrich, Bess Streeter,

*Meadows Entertains a Celebrity* (The American Magazine, August, 1923).

Anderson, Maxwell,

*The Instrument* (poem) (The Des Moines Register, September 23, 1923).

Ansley, Clarke Fisher,

*Great Schools in Small Communities* (The Survey, September 1, 1923).

Aurner, Robert Ray,

*The History of Certain Aspects of the Structure of the English Sentence* (Philological Quarterly, July, 1923).

Barelay, Wade Crawford,

*A Book of Worship*. New York: Abingdon Press. 1923.

Beebe, James Albert,

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Sketch of the life of Jacob H. Guenther, in the *Clinton Advertiser*, July 2, 1923.

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The fiftieth anniversary of the founding of Traer, in the *Marshalltown Times-Republican* and the *Des Moines Register*, July 2, 1923, and the *Des Moines Tribune*, July 5, 1923.

Exhibits of pioneer and historical relics at Anamosa, in the *Cedar Rapids Gazette*, July 3, 1923, and the *Marshalltown Times-Republican*, July 5, 1923.

Celebrating the Fourth of July in Iowa in early days, in the *Ottumwa Courier*, July 4, 1923, the *Newton Record*, July 5, 1923, and the *Hopkinton Leader*, July 12, 1923.

Prairie schooner to be at the diamond jubilee celebration at Ottumwa on August 7-11, 1923, in the *Ottumwa Courier*, July 4, 5, 1923.

Sketch of the life of Calvin S. Griffith, in the *Manson Journal*, July 5, 1923.

Sketch of the life of J. G. Bickley, in the *Waterloo Tribune*, July 6, 1923.

Sketch of the life of A. G. Kegler, in the *Cedar Rapids Gazette*, July 6, 1923.

The little stone church near Fort Atkinson, Iowa, in the *Dubuque Journal*, July 7, 1923.



Sketch of the life of George S. Ringland, in the *Fort Dodge Messenger*, July 10, 1923, and the *Des Moines Tribune*, July 11, 1923.

Sketch of the life of J. E. Goodrich, in the *Cedar Rapids Gazette*, July 11, 1923.

Sketch of the life of William Higginbotham, in the *Forest City Republican*, July 12, 1923.

Sketch of the life of John P. Calmer, in the *Manson Journal*, July 12, 1923.

Laying the cornerstone of the Old Stone Capitol at Iowa City, in the *Alden Times*, July 12, 1923.

The beginnings of Oskaloosa, in the *Mason City Gazette*, July 13, 1923.

The founding and history of Center Point, by John R. Battin, in the *Cedar Rapids Gazette*, July 14, 1923.

Old newspaper advertisements, in the *Waterloo Tribune*, July 15, 1923.

Sketch of the life of Rufus L. Nutting of Mason City, grandson of one of the men who crossed the Delaware with Washington, in the *Mason City Gazette*, July 17, 1923.

Building the Fort Dodge and Fort Ridgeley Railroad, in the *Estherville Democrat*, July 19, 1923.

Winneshiek's daughter visits Iowa, in the *Cresco Plain Dealer*, July 20, 1923, and the *Elgin Echo*, July 26, 1923.

Sketch of the life of Henry Windsor, in the *Des Moines Register*, July 21, 1923.

Sketch of the life of John A. T. Hull, in the *Davenport Democrat*, July 22, 1923.

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Origin of the name Des Moines, in the *Des Moines Tribune*, July 23, 1923.

Oldest building in Muscatine, in the *Muscatine Journal*, July 24, 1923.

Sketch of the life of Julius Mandelbaum, in the *Des Moines Capital*, July 25, 1923.

Sketch of the life of T. M. Easton, in the *Manson Journal*, July 26, 1923.

Sketch of the life of Daniel Varvel, the first settler of Monticello, in the *Monticello Express*, July 26, 1923.

Pioneer stage driver of Waterloo, in the *Waterloo Courier*, July 28, 1923.

Ezra Meeker in Council Bluffs, in the *Council Bluffs Nonpareil*, July 28, 1923.

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The story of Tete Des Morts in Jackson County, in the *Maquoketa Sentinel*, July 31, 1923, the *Bellevue Leader*, August 2, 1923, and the *McGregor Times*, September 13, 1923.

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John Beach and the Sac and Fox Indians, in the *Ottumwa Courier*, August 4, 1923.

Sketch of the lives of Mr. and Mrs. J. W. Thompson, in the *Cedar Rapids Gazette*, August 4, 1923.

First steam vessel on western rivers, by Fred A. Bill, in the *Burlington Saturday Evening Post*, August 4, 11, 18, 1923.

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Religious services in early Iowa, in the *Ottumwa Courier*, August 7, 1923.

Sketch of the life of Anson T. Hukill, in the *Waterloo Courier*, August 8, 1923.

Pioneer relics of Franklin County, in the *Marshalltown Times-Republican*, August 9, 1923.

Sketch of the life of Anton Linder, in the *Iowa City News*, August 9, 1923, the *Dubuque Journal*, August 12, 1923, and the *Davenport Democrat*, August 12, September 9, 1923.

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The history of the Amanas, in the *Davenport Democrat*, August 13, 1923.

First settler in Linn County, in the *Cedar Rapids Gazette*, August 14, 1923.

Early days in Waterloo, in the *Waterloo Courier*, August 15, 1923.

The story of Vandalia, by Ora A. Martin, in the *Prairie City News*, August 16, 1923.

Sketch of the life of George I. Long, in the *Manson Journal*, August 16, 1923.

Old books owned by Mrs. Lucy Boyle of Centerville, in the *Centerville Iowegian*, August 18, 1923.

Quaker pioneers of Salem, in the *Burlington Hawk-Eye*, August 19, 1923.

Early days in Macedonia, in the *Council Bluffs Nonpareil*, August 19, 1923.

Sketch of the life of Henry Young, in the *Manson Journal*, August 23, 1923.

C. P. Howard revisits Tama, in the *Tama Herald*, August 23, 1923.

Early days in Hardin County, in the *Iowa Falls Citizen*, August 24, 1923.

Pottawattamie Indians in Iowa, in the *Ottumwa Courier*, August 24, 1923.

Sketch of the lives of Mr. and Mrs. John Rump, in the *Fort Madison Democrat*, August 25, 1923.

The Bealer Quarries at Cedar Valley, in the *Cedar Rapids Gazette*, August 26, 1923.

Fort Atkinson, the center of Winnebago Indians, in the *Waterloo Tribune*, August 26, 1923.

Sketch of the life of B. J. Rodamar, in the *Waterloo Courier*, August 30, 1923.

Pioneer life in Scott County, by Mrs. Emma Clark Harrison, in the *Davenport Democrat*, August 30, 1923.

Captain Fred A. Bill's first view of Burlington 53 years ago, in the *Burlington Saturday Evening Post*, September 1, 1923.

Sketch of the life of Christian Mathes, in the *Burlington Hawk-Eye*, September 1, 1923, the *Des Moines Tribune*, September 11, 1923, and the *Council Bluffs Nonpareil*, September 12, 1923.

The first settlers in Oskaloosa, in the *Oskaloosa Herald*, September 1, 1923.

*The Dubuque Visitor*, in the *Ottumwa Courier*, September 1, 1923, the *Keokuk Gate City*, September 6, 1923, and the *Newton News*, September 7, 1923.

E. M. White of Davenport and the Pony Express, in the *Davenport Times*, September 4, 1923.

Fifty years of Oelwein's history, in the *Oelwein Register*, September 5, 10, 1923, and the *Davenport Democrat*, September 6, 1923.

Early days in Rockwell City, in the *Manson Journal*, September 6, 1923, and the *Rockwell City Republican*, September 13, 1923.

First railroad ticket across Iowa, in the *Burlington Gazette*, September 6, 1923.

Mrs. Maggie Duncan, the first white girl born in Humboldt County, in the *Melcher Union*, September 6, 1923.

List of pioneers of Crawford County, in the *Council Bluffs Nonpareil*, September 8, 1923.

Mrs. Ed. Erb, a passenger on the "Belle of the West", in the *Burlington Hawk-Eye*, September 9, 1923.

The burial place of Tama, in the *Burlington Hawk-Eye*, September 9, 1923.

Plastering the Poweshiek County courthouse, in the *Montezuma Republican*, September 12, 1923.

Sketch of the life of Mrs. Florence Ashley Clark, granddaughter of Governor Lucas, in the *Fort Dodge Messenger*, September 12, 1923.

Sketch of the lives of James Harlan and Jonathan P. Dolliver, by Johnson Brigham, in the *Sibley Tribune*, September 12, 1923.

Sketch of the lives of J. M. and Simeon Gobe, in the *West Union Gazette*, September 12, 1923.

Early days in Boone County, by C. L. Lucas, in the *Madrid News*, September 13, 1923.

First settlers in Keokuk County, by Ernest Peiffer, in the *Keota Eagle*, September 13, 1923.

Marion County's first white child, in the *Knoxville Journal*, September 13, 1923.

Rifle pits in Buckeye Township, Hardin County, by C. F. Paine, in the *Eldora Herald*, September 13, 1923.

Mrs. Mary Clark Tusha, first white child born in Madison County, in the *Winterset Madisonian*, September 13, 1923.

Threshing in pioneer days, in the *Manson Journal*, September 13, 1923.

Some facts concerning early days in Dubuque, in the *Dubuque Tribune*, September 14, 1923.

Hard times in 1868, in the *Center Point Independent*, September 14, 1923.

The Mississippi River bridge at Fort Madison, in the *Council Bluffs Nonpareil*, September 16, 1923.

Early settlers of Urbana, in the *Cedar Rapids Republican*, September 16, 1923.

Pioneer times in Greene County, in the *Jefferson Bee*, September 19, 1923.

Sketch of the life of Morris Wiley Fitz, in the *Manson Journal*, September 19, 1923.

Sketch of the life of William B. Allison, in the *Newton News*, September 19, 1923.

Denison in 1857, a report of Jesse W. Denison to Providence Western Land Company, in the *Denison Review*, September 19, 1923.

Sketch of the life of W. W. Pierce, in the *Waterloo Courier*, September 21, 1923.

Baxter S. McQuin, pioneer printer of Cedar Rapids, in the *Cedar Rapids Gazette*, September 24, 1923.

When Davenport was the capital of Iowa, in the *Burlington Gazette*, September 27, 1923.

Some early history of Buena Vista County, by Mrs. A. B. Heath, in the *Storm Lake Register*, September 27, 1923.

Early days in Newell and Buena Vista County, by Wm. Huxtable, in the *Storm Lake Register*, September 27, 1923.

Sketch of the life of W. H. Davidson, in the *Manson Journal*, September 27, 1923.

Sketch of the life of James S. Hunnicutt, in the *Tama Herald*, September 27, 1923.

A brief history of Lee Township, Buena Vista County, by Nelson Guickow, in the *Storm Lake Register*, September 27, 1923.

Some events in Iowa since 1845, in the *Des Moines Tribune*, September 28, 1923.

Old Iowa gun found in Idaho, in the *Fort Madison Democrat*, September 28, 1923.

Sketch of the life of Rufus Broadie, a barber on a Mississippi River steamboat, in the *Cedar Rapids Gazette*, September 28, 1923.

Susan Millhouse Springer, witness of Ft. Dearborn massacre, buried at Springville, in the *Cedar Rapids Gazette*, September 28, 1923.

Dime novels fifty years ago, a complete collection of Beadle thrillers, by Al. Hill, Jr., in the *Burlington Saturday Evening Post*, September 29, 1923.

Daniel Riley Gonder, Iowa's only living Mexican War veteran, in the *Marshalltown Times-Republican*, September 29, 1923, and the *Des Moines Register*, September 30, 1923.

## HISTORICAL SOCIETIES

### PUBLICATIONS

*Chicago in 1837*, a letter written by Bernsby Huntoon, and *Tales of a Troubled Traveler*, a letter by James Mulvey, are two contributions to the *Chicago Historical Society Bulletin* for June-July.

The New Hampshire Historical Society has recently issued its report for 1922, with other information, under the title *Manual of the New Hampshire Historical Society, 1923*.

*The South Carolina Historical and Genealogical Magazine*, for October, 1922, contains the *Original Rules and Members of the Charlestown Library Society*. The date of organization was 1749.

A continuation of the *Certificate Book of the Virginia Land Commission 1779-80* fills the September number of the *Register of the Kentucky State Historical Society*.

*Official Encouragement of Immigration to Minnesota During the Territorial Period*, a monograph by Livia Appel and Theodore C. Blegen, is the chief contribution to the *Minnesota History Bulletin* for August.

*Rhode Island in 1780*, by L. J. B. S. Robertnier, and *Early Life of Roger Williams* are two articles in the July issue of the *Rhode Island Historical Society Collections*.

The April-September number of *The Quarterly Publication of the Historical and Philosophical Society of Ohio* contains *Dr. Daniel Drake's Memoir of the Miami Country, 1779-1794*, an unfinished manuscript, edited by Beverly W. Bond, Jr.

*Relics Commemorating the Capture of Major John André on September 23, 1780* and a continuation of *The British Army Button in the American Revolution*, by William L. Calver, are the two papers in the July issue of *The New York Historical Society Quarterly Bulletin*.

The four articles in the September number of *The Mississippi*



*Valley Historical Review* are the following: *The Sixteenth Annual Meeting of the Mississippi Valley Historical Association*, by Benj. F. Shambaugh; *James Dickson: A Filibuster in Minnesota in 1836*, by Grace Lee Nute; *Notes on the Colonization of Texas*, by Eugene C. Barker; and *Trans-Mississippi Railroads During the Fifties*, by Robert E. Riegel.

The July number of *The New England Historical and Genealogical Register* contains a biographical sketch of Theodore Newton Vail, by Henry Edwards Scott. Vail was for some time a resident of Iowa.

*The Battle at the Forks of the Loup and the Platte, August 11, 1720 — Extermination of the Spanish Army by Otoe Tribe of Indians*, a translation of French and Spanish sources by Addison E. Sheldon, is one of the papers in the *Nebraska History and Record of Pioneer Days* for January-March. There is also a short article by M. A. Shine, entitled *First Visit of Nebraska Indians to Paris in 1725*.

*A Temple of American History — The William L. Clements Library*, by William Warner Bishop, *Pioneer Days in Eaton County*, by Daniel Strange, *George Washington Thayer*, by Claude R. Buchanan, *Medical Reminiscences*, by A. F. Fischer, *Reminiscences of Wm. Austin Burt, Inventor of the Solar Compass*, by Austin Burt, *Chief Keshkauko*, by Brayton Saltonstall, and *Harriet Martineau's Travels In and Around Michigan, 1836*, are the articles and papers in the *Michigan History Magazine* for January-April. This number also contains the tenth annual report of the Michigan Historical Commission for 1922.

The Wyoming State Historical Department has begun the publication of a *Quarterly Bulletin*, the first number bearing the date July 15, 1923. It is an eight page issue and contains two short historical sketches — *A Place in Wyoming Worthy of a Monument: South Pass*, by Mrs. Agnes R. Wright-Spring, and *Early Pioneer of Wyoming*, by Clarence Holden.

*A Northwest Trader at the Hawaiian Islands*, by Ralph S. Kuykendall, *Letters Relating to the Second Voyage of the Columbia*, by

F. W. Howay, and *Reminiscences of James E. R. Harrell*, by Fred Lockley, are the three articles in the June issue of *The Quarterly of the Oregon Historical Society*. Under the heading *Documentary* there is a second installment of the *Diary of Reverend George H. Gary*, with notes by Charles Henry Carey, and James Douglas, Chief Factor of the Hudson's Bay Company, Fort Vancouver, to Governor George Abernethy, Oregon City.

Bulletin number 30 of the *Publications of the North Carolina Historical Commission* contains, in addition to the usual reports, the following addresses: *The American Revolution and Reform in the South*, by Wm. K. Boyd; *Two Wake County Editors Whose Work Has Influenced the World*, by Mrs. J. R. Chamberlain; *Missions of the Moravians in North Carolina Among Southern Indian Tribes*, by C. C. Pearson; and *The Use of Books and Libraries in North Carolina*, by Louis R. Wilson.

*The Monongahela River*, by James M. Norris, *The Land Policy and System of the Penn Family in Early Pennsylvania*, by Alan C. Gregg, *Squatters and Titles to Land in Early Western Pennsylvania*, by James M. Fullerton, and *Early Western Pennsylvania*, by James M. Fullerton, and *Early Western Pennsylvania Agriculture*, by W. Y. Hayward, are the four articles in the *Western Pennsylvania Historical Magazine* for July. There are also two letters on early transportation in Pennsylvania, by John Nevin.

The five papers in the *Tennessee Historical Magazine* for October, 1921, are the following: *St. John's Church, Maury County, Tenn.*, by Geo. W. Polk; *William Tatham, Wataugan*, by Sam'l C. Williams; *The Thirteenth Tennessee Regiment — Confederate States of America*, by James Durham West; *The Economic and Social Beginnings of Tennessee*, by Albert C. Holt; and *Survivor of a John Brown Raid*, by Mrs. Mattie Turnley Armstrong.

*The Negotiation of the Gadsden Treaty*, by J. Fred Rippy, a third installment of the *Memoirs of Major George Bernard Erath*, by Lucy A. Erath, and a further chapter of *The Bryan-Hayes Correspondence*, edited by E. W. Winkler, are three articles in the July number of *The Southwestern Historical Quarterly*.

*Eleutherian College*, by William C. Thompson, *Personal Politics in Indiana*, by Adam A. Leonard, *The Ohio River*, by Lee Burns, *A Pioneer Engineer*, by Alma Winston Wilson, and *The Harmonist Movement*, by Elizabeth Smith Denehie, are the articles in the *Indiana Magazine of History* for June.

*Fort Frederick*, by W. McCulloh Brown, *The Life of Thomas Johnson*, by Edward S. Delaplaine, *Norwood in Worcester County in 1650*, by Louis Dow Scisco, *James Alfred Pearce*, by Bernard C. Steiner, and "News" from the "Maryland Gazette" are five of the papers and articles in the *Maryland Historical Magazine* for June. The September number contains *Extracts from Account and Letter Books of Dr. Charles Carroll, of Annapolis*, a continuation of *The Life of Thomas Johnson*, by Edward S. Delaplaine, and *Notes on a Colonial Free School in Anne Arundel County, with Side Lights upon the Early Education of Johns Hopkins*, by Daniel R. Randall.

*Old Houses of Elizabethtown — the Governor Belcher Mansion*, by Warren L. Dix, *Some New Jersey Side-Lights on Revolutionary Days*, by Charles B. Bullard, *The Minisink Indian Trail*, by Charles F. Phillower, *A Forgotten Elizabethtown Newspaper, the "Essex Patriot"*, by Elmer T. Hutchinson, and a continuation of *A Young Man's Journal of 1800-1813* are papers and articles in the *Proceedings of the New Jersey Historical Society* for July.

*The Canadian Historical Association*, by James F. Kenney, *The New Dominion*, by Alexander Brady, and *An Historical Survey of Indian Migration within the Empire*, by Emmaline E. Smillie, are articles in *The Canadian Historical Review* for September, 1923.

In addition to the usual reports for 1921 and 1922, Volume XVIII of the *Proceedings and Collections of the Wyoming Historical and Geological Society* contains a number of papers and addresses, among which are the following: "Little Old Wilkes-Barré As I Knew It", by Edith Brower; *Wilkes-Barré's Earliest Newspapers*, by Oscar Jewell Harvey; *The Influence of the Pilgrims*, by William Brewster; and *The Pilgrim Temple Builders*, by Ferdinand Von Krug.

*Batsto and the Bloomaries*, by Carmita De Salma Jones, *Springs and Spas of Old-Time Philadelphians*, by F. H. Shelton, *The Delaware Curve*, by J. Carroll Hayes, and a continuation of *The Second Troop Philadelphia City Cavalry*, by W. A. Newman Dorland, are four articles in the July issue of *The Pennsylvania Magazine of History and Biography*.

The three articles which appear in the April number of the *Ohio Archaeological and Historical Quarterly* are the following: *Inter-State Migration and the Making of the Union*, by Edwin Erle Sparks; *Logan and the Logan Elm*, by Howard Jones; and *The Centenary Celebration of the Birth of Rutherford Birchard Hayes, at Spiegel Grove, Fremont, Ohio*, by Lucy Elliot Keeler. *Explorations of the Campbell Island Village Site and the Hine Mound and Village Site*, by H. C. Shetrone, *Tribute to James Edwin Campbell*, by William Oxley Thompson, *The Struggle for Statehood in Ohio*, by Ruhl Jacob Bartlett; and *Fort St. Clair* are contributions to the July issue.

A *History of the Sioux*, by James H. Bradley, a monograph of some hundred pages, is printed in volume nine of the *Contributions to the Historical Society of Montana*. Other articles in the same volume are the following: *Custer's Last Battle*, by Edward S. Godfrey; *Notes on the Little Big Horn Expedition Under General Custer, 1876*, by Mark Kellogg; and *Hundred Governors Rule Montana in Two Centuries*, by J. U. Sanders. In addition there are short articles on the following topics: *Hunt's Expedition to Astoria*; *Sir George Gore's Expedition*; *Sun River Stampede, 1866*; *Characteristics, Habits and Customs of the Blackfeet Indians*; *Indian Traditions*; and *Tattooed Forehead* — all by James H. Bradley. There is also a continuation of the *Sketch of the Fur Trade of the Upper Missouri River*, by the same author.

The *Wisconsin Magazine of History* for June contains *A Polish Pioneer's Story*, by Mrs. William F. Allen, *The Yankee and the Teuton in Wisconsin*, by Joseph Schafer, *The Grand Army of the Republic*, by Hosea W. Rood, *An Historic Collection of War Portraits*, by Louise Phelps Kellogg, *A Footnote to the Story of a Great*

*Court*, by Lucien S. Hanks, *Charles Henry Williams — A Sketch*, by Samuel M. Williams, and *John Coumbe, the First White Settler in Richland County*, by Camille Coumbe. Under the head of *Documents* is a speech by John E. Cashman on textbooks and patriotism, delivered in the Wisconsin State Senate on March 1, 1923. The number for September contains a continuation of Mr. Schafer's article on *The Yankee and the Teuton in Wisconsin*; *The University of Wisconsin Soon After the Civil War*, by Mrs. W. F. Allen; *The Schooner That Sunk the Lady Elgin*, by Frances M. Stover; *Fragments of an Autobiography*, by Jerome A. Watrous; *The Historical Society and Genealogical Research*, by Arthur Adams; *The Tragedy of Richland City*, by James McManus; *Beginnings of the Watertown School System*, by William F. Whyte. *A Circuit Rider in the Old Northwest: Letters of the Reverend John H. Ragaty* appears under the head of *Documents*.

"*Ourselves as Others See Us*", a commentary of the article, *Missouri, Mother of the West*, by Frederick Simpich, published in the April number of the *National Geographic Magazine*, by Floyd C. Shoemaker, *The Pony Express Celebration*, by Louise Platt Hauck, *A Century of Missouri Music*, by Ernest C. Krohn, *Missourians Abroad — Henry L. Myers*, by T. A. Johnston, *The New Journalism in Missouri*, by Walter B. Stevens, *The Followers of Duden*, by William G. Bek, and *Jayhawkers in Missouri, 1858-1863*, by Hildegard R. Herklotz, are the seven contributions to *The Missouri Historical Review* for July.

*The Proceedings and Collections of the Wyoming State Historical Department* for 1921-1923 contains, in addition to the reports, the following papers and articles: *Report of the Activities of the United States Fuel Administration for Wyoming*, by Augustine Kendall; *Historical Sketches*, by John Hunton; *Captured by Indians*, by Mrs. A. M. F. Cook; *The Sioux Indian in Wyoming*, by C. P. Meek; *Legends of Wyoming Indians*, by Mrs. M. B. Nash; *The Cheyenne Trail*, by William Francis Hooker; *The Romance of Old Trails*, by Elizabeth Arnold Stone; and *Bill Nye in Laramie*, by W. E. Chaplin.

The *Journal of the Illinois State Historical Society* for April-July, 1922, contains the following papers and addresses: *Promotion of Historical Study in America following the Civil War*, by James A. Woodburn; *In the Ranks at Shiloh*, by Leander Stillwell; *Springfield Society Before the Civil War*, by Caroline Owsley Brown; *How Abraham Lincoln Received the News of His Nomination for President*, by T. W. S. Kidd; and *Carthage College Celebrates Its Diamond Jubilee June 6, 1921*, an address by Amos Miller. There are also some letters descriptive of the Illinois country, written by William Dobell, and letters from A. S. French during the Civil War.

The four papers in *The American Historical Review* for July are the following: *The International Congress of Historical Sciences, Held at Brussels*, by Waldo G. Leland; *Russia and the Spanish Colonies, 1817-1818*, by Dexter Perkins; *The Unexplored Region in New England History*, by James T. Adams; and *The South Carolina Up Country at the End of the Eighteenth Century*, by D. Huger Bacot. Under the head *Notes and Suggestions* J. Franklin Jameson contributes A "Pure History Law" and O. L. Spaulding, Jr., contributes *On the Relation of the Schools to Military History*. A second installment of *Washington and the Potomac: Manuscripts of the Minnesota Historical Society, 1769-1796* is included in this number.

*Introduction of Cattle into the Pacific Northwest*, by C. S. Kingston, and continuations of *Newspapers of Washington Territory* and *Origin of Washington Geographic Names*, both by Edmond S. Meany, are the chief contributions to *The Washington Historical Quarterly* for July. There is also a short article by Samuel T. Bemis on *Captain John Mullan and the Engineers' Frontier* and one on *The Mullan Road: Its Local History and Significance*, by T. C. Elliott. *The Nisqually Journal*, edited by Victor J. Farrar, is also continued.

#### ACTIVITIES

The Marshall County Historical Society has secured a room in the courthouse for its meetings and for its museum.

The State Historical Department of Wyoming has received a collection of Indian relics, curios, and articles of dress, the gift of Frank S. Lusk of Missoula, Montana.

The Texas State Historical Society held its twenty-seventh annual meeting on May 10, 1923, at the University of Texas. Mrs. Adele B. Looscan was reelected president, and Charles W. Ramsdell was elected secretary and treasurer.

The forty-eighth annual meeting of the Kansas State Historical Society will be held in the Memorial Building at Topeka, on October 16, 1923. The address will be delivered by Chancellor E. H. Lindley of the University of Kansas.

#### THE STATE HISTORICAL SOCIETY OF IOWA

An address by Frank L. Mott on the *Literature of Pioneer Life in Iowa* is being published by the State Historical Society of Iowa. A partially annotated bibliography of books relating to pioneer conditions is included.

The State Historical Society has now in press a pamphlet on pageantry, prepared by George O. Hurley. In addition to a brief discussion of the significance and value of pageants this study contains suggestions for their preparation and presentation.

Since September 30, 1923, when the film *The Rediscovery of Iowa* was released by the State Historical Society, it has been in constant use at moving picture theaters in cities throughout the State. A four-page folder describing the original discovery of the Iowa country by Father Jacques Marquette and Louis Joliet and the celebration by which Iowans commemorated the two hundred and fiftieth anniversary of this event has been sent by the State Historical Society to theaters for free distribution during the showing of the film. Requests from high schools for bookings of the film as soon as the regular theaters are through with it have been received.

The following persons have recently been elected to membership in the Society: Mr. S. A. Cohagan, Waterloo, Iowa; Mr. W. E.

Lessenger, Radcliffe, Iowa; Mr. Robert C. Ritchie, Iowa City, Iowa; Mr. Edward F. Carter, Keokuk, Iowa; Mrs. J. M. Casey, Ft. Madison, Iowa; Mr. Frank H. Coy, Odebolt, Iowa; Rev. T. C. Donohoe, Davenport, Iowa; Mrs. George H. Duty, Montrose, Iowa; Mr. J. L. Feldman, Mt. Pleasant, Iowa; Mr. Bernard D. Glaha, Ft. Madison, Iowa; Mr. Thomas Green, Burlington, Iowa; Mr. J. P. Kennedy, Montrose, Iowa; Mr. E. H. Pollard, Ft. Madison, Iowa; Mr. William Richter, Davenport, Iowa; Dr. George Scanlon, Iowa City, Iowa; Mr. Frederic C. Smith, Keokuk, Iowa; Mr. J. F. W. Vrba, Garner, Iowa; Mr. F. O. Wilcox, Montrose, Iowa; Mr. Wm. P. Bair, Des Moines, Iowa; Mr. C. W. Bachman, State Center, Iowa; Mr. Logan Blizzard, McGregor, Iowa; Mr. William R. Hart, Iowa City, Iowa; Mr. Fred H. Hoyt, Clermont, Iowa; Mr. E. D. Hully, Elliott, Iowa; Dr. Malcolm E. Kemp, Sigourney, Iowa; Rev. James J. Morrin, Webster Groves, Missouri; Rev. Mell G. Morrin, Davenport, Iowa; Mr. Will F. Riley, Des Moines, Iowa; Miss Margaret T. Sharp, Milwaukee, Wisconsin; Mr. Carl Weeks, Des Moines, Iowa; Mr. C. R. Atwood, Bloomfield, Iowa; Mr. J. H. Burgess, Cresco, Iowa; Mr. J. M. Burrows, Des Moines, Iowa; Miss Almeda B. Harpel, Des Moines, Iowa; Mrs. Isaac Lee Hillis, Des Moines, Iowa; Mr. Arthur Hurtt, Cedar Rapids, Iowa; Mr. Ernest C. Rea, Des Moines, Iowa; Mr. E. B. Starrett, Sheldon, Iowa; and Mrs. Alice M. Welty, Nevada, Iowa. Miss Ila G. Langdon, Grundy Center, Iowa, and Mr. J. A. White, South Amana, Iowa, have been enrolled as life members.



## NOTES AND COMMENT

The old settlers reunion was held at Salem on August 25, 1923. Dr. W. G. Smith, president of Iowa Wesleyan College, gave the address.

The thirty-third annual meeting of the Iowa Library Association is to be held at Fort Dodge on October 9-11, 1923.

William B. Close, one of the three brothers who were extensively engaged in real estate business in northwestern Iowa and Minnesota, died in London on September 25, 1923. For several years Mr. Close resided near Le Mars, Iowa, and was one of the promoters of the English community in that vicinity.

The fifty-second annual reunion of the old settlers of Jasper County was held at Lynnville on August 16 and 17, 1923. J. W. Jarnagin was the principal speaker on the first day's program and Peder Pederson on the second.

The Fourth of July celebration of Jones County included an historical pageant presented at Anamosa, showing five episodes in the history of the county. Relics of pioneer days were collected and exhibited in the store windows.

The thirty-third annual reunion of the old settlers of Linn County was held at Marion on August 30, 1923. Forty-four men and women over eighty years of age were in attendance. Officers for the ensuing year are James E. Bromwell, president, and James Bleakley, secretary.

The annual picnic of the pioneers of Polk County was held at Altoona on August 9, 1923. I. M. T. Cory of Elkhart is the new president; Frank F. Blyler of Des Moines, vice president; and John B. Depew of Des Moines, secretary.

The Pioneer Settlers' Association of Scott County held its annual business meeting at Davenport on August 29, 1923. Pete N. Littig was elected president, and Henry Karwath and J. F. Kelly were reelected secretary and treasurer, respectively.

Pioneers of Johnson County met at Iowa City on September 13, 1923. Dr. Louis Pelzer delivered the principal address on "Glimpses of Iowa City Eighty Years Ago".

A business meeting of the Hawkeye Natives of Des Moines County was held at Burlington on September 10, 1923. John Braunberger was reelected president, Fred S. Schreiber vice president, L. C. Walbridge treasurer, and F. N. Field secretary. The annual picnic was held at Crapo Park, Burlington, on September 26th. A parade and an address by W. H. Spence were features of the program. The society now has nearly five hundred members.

The nineteenth annual reunion of the pioneers of Madison County was held at Winterset on September 3, 1923. Herman A. Mueller, the president of the Madison County Historical Society, Harvey Ingham, Judge I. T. McCaskey, and Clyde L. Herring were on the program. A reunion of the old settlers in the southeastern part of Madison County and southwestern Warren County was held at St. Charles on August 16, 1923. E. R. Zeller, C. C. Dowell, and Herman A. Mueller were the speakers.

## CONTRIBUTORS

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